vital component of New Jersey's tourist industry, but is an important natural resource that supports populations of commercially and recreationally significant fish and rare and endangered species.

Non-point source pollution, while diffuse, is cumulatively the most important issue in addressing adverse impacts on water quality and the health of living resources in the Bay. The contaminants found in rain and snowmelt, as well as groundwater, contribute to non-point source pollution. The Final Comprehensive and Conservation Management Plan for Barnegat Bay will be available to the public in May 2000 for public review. But without the additional funding for this program, as well as explicitly permitting the NEPs to use Federal funds for implementation of their programs, the Federal government would have absolved itself of responsibility as a partner with the states in protecting and enhancing the Nation's most endangered habitats.

Therefore, I would like to thank my colleagues for supporting this important bill and protecting our Nation's natural resources for future generations.

Mr. BENTSEN. Mr. Speaker, I rise in support of H.R. 1237, the National Estuary Program (NEP) Reauthorization. In 1987, the National Estuary Program was established to promote protection and restoration of the health of estuaries and their living resources. This program has made a profound difference nationally. This program has been tremendously important to the restoration of Galveston Bay which borders my district in Texas.

In 1995, the Galveston Bay Estuary Program (GBEP) received approval for its Comprehensive Conservation and Management Plan (CCMP) to improve water quality and enhance living resources. Galveston Bay's watershed lies in one of the most heavily industrialized and most heavily populated regions in the United States. Wastewater discharges from communities and industries in Galveston Bay account fully for half of Texas' total wastewater discharges every year. Since some pollution entering the Houston Ship Channel comes from industrial businesses located along or near the Channel, GBEP worked with the Texas Natural Resource Conservation Commission to decrease the amount of pollution through source reduction and waste minimization techniques. Together they developed one of the largest voluntary prevention programs in the country. Under this program, businesses located along or near the Channel are selected to voluntarily participate in environmental training and to submit to pollution prevention audits. Lessons learned from GBEP's voluntary program have been incorporated into the State's Clean Texas 2000 program.

GBEP has funded the Galveston Bay Foundation (GBF) Volunteer Water Quality Monitoring Program to not only monitor water quality but also recruit and train volunteers, obtain and distribute monitoring supplies and equipment. GBEP has also developed the Galveston Bay Information Center Project, a vital project to preserve long-term access to Galveston Bay research and information to prevent losses of data and information had occurred in the Bay's history.

Additionally, Mr. Speaker, the National Estuary Program has been instrumental in preserving and protecting America's treasured bays and estuaries including Galveston Bay. This legislation should be adopted.

I challenge my colleagues who support reauthorization of this vital program to take the next step to protect the almost 40 percent of our Nation's estuary waters under threat. I urge you to sign on as sponsors of H.R. 1775, the Estuary Habitat Restoration Act of 1999. To date, this legislation, which Representative GILCHREST of Maryland introduced last May along with myself and many others now has 121 cosponsors. The legislation would provide dedicated Federal funds to habitat restoration for estuaries like Galveston Bay. Moreover, H.R. 1775 would enhance the work of the National Estuary Program by developing new ways to optimize the numerous existing Federal restoration programs. It also promotes voluntary community estuary restoration efforts and the establishment of public-private partnerships to work with community-based organizations and local governments to protect estuaries.

I urge my colleagues to support H.R. 1237 and reauthorize this vital national program for another five years. We must strive to promote efforts on the local level to develop and implement long-term estuary conservation and management plans.

Mr. BOEHLERT. Mr. Speaker, H.R. 1237, introduced by Representative JIM SAXTON, would reauthorize and improve the National Estuary Program, a broadly supported, comprehensive approach to estuary conservation and management.

I want to thank the Transportation and Infrastructure Committee Chairman BUD SHUSTER, Ranking Democratic Members Representative JIM OBERSTAR, and BOB BORSKI, the Water Resources and Environment Subcommittee Ranking Democratic Member, for their leadership and assistance.

Under the current National Estuary Program, EPA provides assistance to State, local governments, and other interested parties to form a management conference for an estuary of national significance, and develop a comprehensive conservation and management plan for that estuary.

Of the 28 estuaries currently in the National Estuary Program, 21 have finished this planning process and are now trying to implement their management plans.

Unfortunately, section 320 only allows Federal assistance for development of these plans, and not for implementation.

Passage of H.R. 1237 would authorize EPA to provide assistance for management plan implementation, as well as development.

This bill will help protect and restore our Nation's estuaries—those natural resource treasures that are constantly under siege, yet continue to provide invaluable environmental and economic benefits to the entire Nation.

I strongly support passage of H.R. 1237 and urge my colleagues to do the same.

Mr. BORSKI. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. HORN. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. HORN) that the House suspend the rules and pass the bill, H.R. 1237, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Edwin Thomas, one of his secretaries.

GENERAL LEAVE

Mr. HORN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H.R. 1237, the bill just passed.

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

There was no objection.

SENSE OF CONGRESS REGARDING NECESSITY TO EXPEDITE SETTLEMENT PROCESS FOR DISCRIMINATION CLAIMS AGAINST DEPARTMENT OF AGRICULTURE BROUGHT BY AFRICAN-AMERICAN FARMERS

Mr. SIMPSON. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 296) expressing the sense of the Congress regarding the necessity to expedite the settlement process for discrimination claims against the Department of Agriculture brought by African-American farmers.

The Clerk read as follows:

H. CON. RES. 296

Whereas the Secretary of Agriculture has conceded that the Department of Agriculture and agents of the Department discriminated against certain African-American farmers during the period from 1981 through 1996 in the delivery of Commodity Credit Corporation and disaster assistance programs;

Whereas, to permit the resolution of complaints that were filed by these farmers before July 1, 1997, but not responded to by the Department of Agriculture in a timely manner, section 741 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1999 (112 Stat. 2681–30; 7 U.S.C. 2279 note; as contained in section 101(a) of division A of Public Law 105–277), waived relevant statutes of limitation that prevented the adjudication of these complaints;

Whereas, on April 14, 1999, United States District Judge Paul Friedman issued a final opinion and order that finalized class action lawsuits filed by African-American farmers;

Whereas the farmers were ordered to file claims to determine their eligibility for the settlement ordered by the court;

Whereas the court has set and the Secretary of Agriculture has entered into a final settlement consent decree that has become the order of the court;

Whereas, once a claimant is deemed to be a member of the class and has proven discrimination, the claimant is entitled to the settlement set forth by the consent decree; and

Whereas the large volume of claims filed as ordered by the court have severely delayed

the settlement process as defined by the consent decree: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of Congress that the Secretary of Agriculture, the Attorney General, and the adjudicator and facilitator named in the consent decree should strictly follow the consent decree, commit the resources necessary to expedite the settlement process, and ensure that settlements are reached in an expeditious manner.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Idaho (Mr. SIMPSON) and the gentleman from Mississippi (Mr. THOMPSON) each will control 20 minutes.

The Chair recognizes the gentleman from Idaho (Mr. SIMPSON).

1430

GENERAL LEAVE

Mr. SIMPSON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H. Con. Res. 296.

The SPEAKER pro tempore (Mr. PEASE). Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. SIMPSON. Mr. Speaker, I ask unanimous consent that the gentleman from Arkansas (Mr. DICKEY) be allowed to control the time allotted to the majority.

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

There was no objection.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Arkansas (Mr. DICKEY).

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

Mr. Speaker, this is an issue involving the plight of the black farmers and their efforts to get reparations in their farming activities from the Department of Agriculture.

I started this project in 1993 when, at the time I started getting complaints, it was my first year in office, and I started getting complaints from black farmers to such a degree that I said we must have some type of public hearing for this. I asked then-Secretary of Agriculture Mike Espy to come to Pine Bluff, Arkansas and hold a black farmers seminar. That was held.

Mikes were set up all over the auditorium, and story after story after story came to us of the plight of the black farmers and how they had been discriminated against. It was such a big task at that time that we fell back to handling it case by case in what we call casework.

Since then, I had gone to five, six, seven different meetings of the black farmers in three different cities. I have listened to what they have had to say, and I have tried to bring their concerns up here to Washington.

It was not, though, until the lawsuit called Pigford versus Glickman that brought about progress. But then, in the meeting of January 8 of this year, a particular person stood up. We had another meeting. The mikes were still there. I was the only elected official present. One black farmer stood up. He was bawling. He was maybe 70 years old, 75, and he said, ''Mr. Dickey, I want you to know something. I wanted you to know how difficult it is to even hold out hope.'' He said, ''We have fought. We have tried to be in the farming industry for years and years and years. We have had our problems; there is no question about that. But we have also seen that we have been stopped from getting the full benefits from our government through the USDA.

''We then were told that we could bring this lawsuit, and we signed up, assigning some hope to it, only to find out that, once the lawsuit was won, that we are now facing the same people who used to discriminate against us in the first place to administer the lawsuit.'' He said, ''It is just hard sometimes to get your hopes up.''

I am seeing today that this concurrent resolution is answering the call of this man. It is saying that the legislative branch is coming out in agreement that the court decree needs to be followed, it needs to be followed quickly. We do not need to have any further reasons for a delay. Some of the reasons for delay now are that the USDA and the structure that is set in the administration, the structure that is set up to try to help the black farmers have, in fact, added another layer, and that is an investigation by the FBI.

What has occurred in response to this man who stood up and said it is hard to keep hope, what has occurred is the presumption has gone from all of the claims are proper, maybe some are not, to the presumption that all the claims were not proper and maybe some are. The delays are unbelievable.

I have been asked by the USDA to go over and talk to the people who are making the investigations to tell them how important it is. I got to stand before them and hear their stories. They had planned for some 3,000 petitions, and they got almost 20,000 petitions.

This is the sort of thing that was supposed to be handled by the court decree. Liquidated damages were given to each farmer who attempted or did farm and was discriminated against. It was supposed to be liquidated damages, which means there is not any proof needed except to prove the existence of the farming intent or the presence.

They have gone through delay after delay after delay after delay. Now we come to the concurrent resolution, which may not be the strongest thing that we could do, but, timewise, we thought it was the best. The gentleman from Oklahoma (Mr. WATTS) and I have looked at this thing and said this is probably the best.

Now, that man who stood there on January 8 and said what he had to say is, again, seeing a frustration, and that is that people who should be helping are now objecting to this concurrent resolution.

I have instructed my office to contact every member of the Black Caucus. We have the name, the telephone number, the time we called. Every office has been contacted, asking them, can you support this. If not, what do you have as an alternative?

I believe, as they have stated before, that they are going to object to this resolution because it has some political overtones, or because it might not be as strong as it could be. Well, I am going to have to go back to that gentleman who stood up and said we have got even further delays. Rather than having a stamp of approval on the actions of the court as directed to the administration, we are going to have a defeat, if it happens, of our effort to try to get support.

I want my colleagues to know that the black farmers at home are in complete agreement with what I am saying here today. There has been some controversy, but the controversy has been created outside of the black farmers. They know who has been there. They know who is assigned the staff. They know who has been trying to help.

This is a press release that they issued Saturday. ''The Executive Director of the Arkansas Chapter of Black Farmers and Agriculturalists Association today are calling for all Members of the United States House of Representatives to support the black farmers resolution,'' H. Con. Res. 296, ''introduced by Congressman J.C. WATTS and Congressman JAY DICKEY.''

''Those of us who are affected by Pigford v. Glickman believe that the resolution will get us closer to our goal of getting all rightful claims approved and paid. 'Some may say that Congressman DICKEY is presenting this legislation to save himself, but for us, he has already proven himself to be willing to be a true representative for the people in his district,' said Fernando Burkett. 'We want to commend Congressman JAY DICKEY for this effort and we challenge Arkansas' other representatives to show their support by signing onto this legislation. This challenge is also extended to all other Members of Congress who say that they are concerned about the plight of the black farmer.''

''The Arkansas Chapter will not allow our efforts to be politicized in this election year. We are asking for, and it is critical that we receive bipartisan sponsorship on this issue across America. Those who would object and condemn those who are trying to help us have not to this day offered an alternative to Congressman DICKEY'S Concurrent Resolution. We have no choice but to support those who are trying to help us. Even though some may say the help is small, it is better than no help at all!'' said Burkett. ''To us the issue is not Democrat or Republican. The real issue is who is doing, who is helping, who is fighting for what is right!''

So we have placed before the black farmers another obstacle, and that is

that there might be some political reasons for the efforts that are being done. But the black farmers know and they have asked me to concoct all the things that I have done.

They know what is on this list. They know I worked to get the statute of limitations extended so that the farmers would not be precluded from asking for their help. They know that I have aggressively sought after and sought after protecting their rights through casework and through solicitations up here. They know that I have supported an increase of $10 million for section 2501. It provides small farmers assistance in filing these claims.

They know that I have met with the Secretary of Agriculture, I have met with the monitor, I have met with the litigators, I have met with all of the people that are involved in this sort of thing. So they know that, and that is why this particular endorsement is so significant.

I would wish those people who want to curse the darkness and not light a candle would come talk to our farmers in Arkansas and find out how they feel. I think it is all over the Nation. We must pursue this. We must pass this so that they can keep going.

Now my colleagues may say, well, what difference does it make? I am on the Committee on Appropriations, and I have pledged to the black farmers that, if I can get the support of the Members of Congress up here, if I can, that I will go and try to get increased funds for the investigation of these claims so that we can hurry them up.

At one point, it was stated that there was not enough time, that the money was too scarce, and that the budget was in jeopardy; and that is the reason why they had to slow down.

I went over and said that I would pledge whatever I could to do that. This is how critical it is, if we had this vote, and this concurrent resolution in support of the black farmers is, in fact, defeated, then I do not know how we can go and ask for additional appropriations. All we can do then is just wait for the members of the Black Caucus to give us an alternative or the members of the Democratic Party.

Our farmers just this Saturday went to visit a representative of the Black Caucus who came to Arkansas. They thought he is going to come, we are going to have bipartisan support, which we have been trying to get all this time, and he is going to help. It turned out that that was not the case, that he came and asked them to do some political chores that they said they could not do at this time. So there is hope dashed again for the black farmers.

I just hope, Mr. Speaker, that today we would honor the intent of the court decree, we will honor the effort of these farmers who have, all these years, tried to stay in the profession, tried to stay in farming, and have been, by court order, found to be discriminated against.

We ask, through this resolution, the administration to please comply with the court order expeditiously so that we can, in fact, bring this to a close and solve the problems that have existed for all these years for the black farmers.

One other thought that I want to state, this is not the only discrimination that exists. If people think that we can just abandon this whole idea once we pay the $50,000 to those people who are worthy of it, abandon the idea that there is no more discrimination, that is not the case. There still is. These black farmers still need a listening ear. They need somebody who will listen and will react. That is another reason why I say vote for the concurrent resolution.

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

The SPEAKER pro tempore. Without objection, the time allocated to the gentleman from Mississippi (Mr. THOMPSON) will be controlled by the gentlewoman from the District of Columbia (Ms. NORTON).

There was no objection.

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

Mr. Speaker, the plane of the gentleman from Mississippi (Mr. THOMPSON) is late, and I am pleased to manage on my side and in his absence.

Mr. Speaker, I want to express some concerns regarding this resolution. H. Con. Res. 296 is offered by the gentleman from Arkansas (Mr. DICKEY) and the gentleman from Arkansas (Mr. WATTS), which attempts to express the sense of this Congress regarding their urgency to expedite the settlement process for the Pigford Black Farmer class action suit that has been filed against the Federal government. No one can disagree with the essential concept of this resolution when more than 9,000 claims remain unresolved.

In any event, Mr. Speaker, when all the claims are settled in accordance with the Pigford consent decree, an estimated $2 billion will be expended to redress past discrimination in agricultural lending and program benefits. But outreach and technical assistance funding for future needs will remain inadequate.

I do want to indicate that this consent decree is the result of a bill that was introduced by the gentlewoman from North Carolina (Mrs. CLAYTON), who also cannot be here; and that were it not for the Congressional Black Caucus, this consent decree could not have gotten through. It was the energy and the determination of the Congressional Black Caucus that made that consent decree possible. It was the Congressional Black Caucus that got the time extended so that these farmers could, indeed, file for these claims, if there is any dispute about what members of the Caucus have done.

Regardless of what we do or say in this resolution, it is questionable whether USDA, Justice or the monitor can legally expedite the settlement process where denials can be overturned due to rushed or inadequate decisions.

Although I do have some appreciation for the concept between H. Con. Res. 296, we question the sincerity of the efforts to help keep African American farmers on their land as well as to help them remain competitive in production agriculture.

Mr. Speaker, all of us who are familiar with production agriculture under the current economic conditions of low commodity prices recognize that farmers need to modernize operations in order to make a profit. Most of our farmers cannot afford to modernize without having an extension of credit.

The extension of credit was a major issue in the Pigford class action suit. Under the factual background section of the Pigford's court's opinion, Judge Freidman said, ''It is of utmost importance that credit and benefit applications be processed quickly, or the farmers will lose all or most of the anticipated income for the entire year.'' Further, Judge Friedman said that ''it does a farmer no good to receive a loan to buy seeds after the planting season is past.''

In the Pigford class action, there was sufficient facts to support a finding that Federal employees discriminated against African American farmers when they denied, delayed, or otherwise frustrated the loan applications of those farmers.

1445

Therefore, it is clear that the even-handed extension of agricultural credit is the main issue that this resolution should address.

Nevertheless, Mr. Speaker, none of the language in H. Con. Res. 296 makes a specific reference to discrimination in the agricultural lending process; therefore, it cannot express the sense of Congress regarding the expedited settlement of this class action suit.

The Commodity Credit Corporation and disaster assistance program language of paragraph two of this resolution should not be linked to credit in a meaningful way to adequately express Congress' resolve to alleviate lending discrimination that affects farmers.

Mr. Speaker, if this Congress really wants to help African American farmers stay on their land and be productive, we should fully fund section 2501, the outreach and technical assistance program for minority and limited resource farmers and ranchers. This program provides assistance with loan applications and farm implementation plans so that these African American farmers can effectively demonstrate their ability to handle cash flow if they receive a loan from USDA's Farm Service Agency.

My colleague, the gentleman from Arkansas (Mr. DICKEY), is a sponsor of this resolution. The gentleman from Arkansas is a member of the House Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies of the

Committee on Appropriations that funds the section 2501 program. It would be interesting to know whether the gentleman from Arkansas would support the full funding of this program in an effort to provide some real meaning to this resolution. I urge my colleagues to oppose this resolution.

Mr. Speaker, I yield such time as he may consume to the gentleman from Mississippi (Mr. THOMPSON).

Mr. THOMPSON of Mississippi. Mr. Speaker, let me from the outset associate myself with my colleague's comments in opposition to this sense of Congress resolution.

This sense of Congress resolution produces a cruel hoax on African American farmers in this country. Those of us who have labored very diligently trying to get relief, to no avail under the last two Congresses, really got to the point of having to go to court rather than an administrative remedy. But as I look at House Concurrent Resolution 296, it provides no relief, no direction, nothing other than some comfort or cover for Members of Congress when they have not done the representative acts that they should in their respective districts.

The 2501 program, which was a program specifically designed for outreach for African American farmers, languishes in the administration's budget and it is constantly opposed by members of the other side on the Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies of the Committee on Appropriations. I challenge the supporters of this amendment to provide the necessary monies so that outreach and other things can be complemented rather than curtailed.

If we look at the Department of Agriculture and its historic discrimination against African American farmers, this sense of Congress resolution addresses none of those past discriminations. The last plantation is still the last plantation. Employees of the Department of Agriculture continue to pose a problem for many borrowers of color. This resolution is a hollow effort to try to correct some political missteps made by my colleague from Arkansas. This is not the way to do it. The way to do it is to provide in appropriation language monies necessary to assist these black farmers who have proven the historic discrimination.

In addition to this, John Boyd, President of the National Black Farmers Union, said that should kill this resolution. It did not and will not do anything for African American farmers.

Mr. Speaker, the other issue that I want to bring before my colleagues today is the notion that the Congressional Black Caucus labored long and hard trying to get support from this body on behalf of African American farmers. It was only with the help of the President and some Members on the Republican side, not the sponsors of this sense of Congress resolution that we were able to get language inserted in the last two appropriation bills allowing for lawsuits to be brought on behalf of black farmers. It was only because we were able to get the language inserted that we were able to bring suit and the farmers, through the help of Judge Friedman, received some support.

But it is still very difficult, Mr. Speaker. Sure, there are problems associated with the lawsuit, but it is because of a cumbersome government, a government that continues to only work for those who have when it should work for those who have not. This sense of Congress resolution does not get at the heart of the problem at the Department of Agriculture. We still have 14,000 employees who work for the Department of Agriculture who are paid by Federal dollars yet they are not Federal employees.

We have three personnel systems operating within the Department of Agriculture. So, clearly, we have a problem with the Department of Agriculture that no sense of Congress resolution can correct. We need legislation making sure that all the employees who work for the Department of Agriculture are, in fact, in one personnel system, unlike the three personnel systems that we have now.

We also need legislation, Mr. Speaker, that will also look at the discrimination that has gone on historically. We need to fully fund the civil rights division of the Department of Agriculture. As my colleagues know, this division was dismantled for a number of years and it was only because the Congressional Black Caucus fought that we did put monies back into the Department of Civil Rights in the Department of Agriculture.

There are a number of other problems associated with this resolution, Mr. Speaker. It is called too little, too late. It cannot be decided, after people have lost their land, some have even, because of stress associated with land loss, died, now provide a sense of Congress resolution that is really a Band-Aid on a cancer. What we need is comprehensive legislation to address the black land loss issues in this country, to look at the systemic discrimination continuing to exist in the Department of Agriculture, and the full funding of the outreach programs necessary for African American farmers in this country to be viable.

So, Mr. Speaker, this is not in the best interest of African American farmers. All of us are interested in making sure that all Americans benefit from the goodness of this country, but to now decide at this late juncture, when the gates are open, when all the livestock has been gone, the land is sold, to decide to come here with a sense of Congress resolution is not where we should be.

I challenge my colleagues who are supporting this sense of Congress resolution to help join the Congressional Black Caucus in fashioning comprehensive legislation that will really provide long-term relief for the African American farmers in this country and not a Band-Aid just to get by this election cycle.

Ms. NORTON. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. DICKEY. Mr. Speaker, I understand I have 8½ minutes remaining?

The SPEAKER pro tempore (Mr. PEASE). The gentleman is correct.

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

I want to say quickly that I agree with what the gentleman from Mississippi (Mr. THOMPSON) says to a very large degree. I have been involved in this, as I said, since 1993. I have heard the complaints straight on. I have not known how to handle them. It has been only since 1995 that I have been on the Committee on Appropriations.

I will say that I have voted for everything they have mentioned. I voted for 2501, I voted for the statute of limitations, I voted for every other measure in the appropriations subcommittee, every one, and not one time has any member of the Black Caucus come to my office and asked me to help in any way.

I want my colleagues all to know that I am available. If it is necessary for me to come to the Black Caucus, like I have tried to do on this resolution to ask my colleagues to help on this, I will come. We have to find a solution.

My problem is it looks like there is some kind of qualification as to who can help the black farmers in the minds of the opposition to this and who cannot. I understand that I am a Republican and I am a white person, but I am also concerned and I have been active, as this list shows, in trying to be an advocate for the black farmers in their dilemma.

I have said before, and I will say it again, that it is not something that we can say we are going to handle just with this lawsuit and settling it. We have to move forward and get complete cooperation. I want to find a way. I waited a long time before filing this resolution. I was waiting for the Black Caucus or anybody else who is interested, any Member of the Democrat or Republican Party to come forward with some kind of idea. No idea has come forward. So we are now cursing the darkness again and not lighting the candle.

I will pledge my time, my energy, and my position on the Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies of the Committee on Appropriations to push as hard as I can, no matter what the results of this might be, for the black farmers.

I want to answer the question about political missteps. The gentleman from Mississippi (Mr. THOMPSON) said I have made political missteps. That is only in his eyes. I will read again from the Black Farmers and Agriculturalists Association release. These are the people I spoke before. I spoke for about 45

minutes. I stayed there after that and took casework and everything else. There was not a problem then. But, again, for some reason, somehow the fact I would make statements to the people who I was closest to, and who they were the closest to as far as an elected official, it has been called a political misstep.

''The Executive Director of the Arkansas Chapter Black Farmers & Agriculture Association today are calling for all Members of the United States House of Representatives to support the black farmers resolution introduced by Congressman J.C. WATTS and Congressman JAY DICKEY.

''Those of us who are affected by Pigford v. Glickman believe the resolution will get us closer to our goal of getting all rightful claims approved and paid. 'Some may say Congressman DICKEY is presenting this legislation to save himself, but for us, he has already proven himself to be willing to be a true representative for the people in his district,' said Fernando Burkett. 'We want to commend Congressman DICKEY for this effort and we challenge Arkansas' other representatives to show their support by signing onto this legislation. This challenge is also extended to all other Members of Congress who say that they are concerned about the plight of the black farmer.''

''The Arkansas Chapter will not allow our efforts to be politicized in this election year. We are asking for and it is critical that we receive bipartisan sponsorship on this issue across America. Those who would object and condemn those who are trying to help us have not to this day offered an alternative to Congressman DICKEY's resolution. We have no choice but to support those who are trying to help us. 'Even though some may say the help is small, it is better than no help at all,' says Burkett. 'To us the issue is not Republican or Democrat. The real issue is who is doing, who is helping, who is fighting for what is right.' ''

And what this statement says, I would say to the gentleman from Mississippi (Mr. THOMPSON), is that these people are recognizing that the person who is standing up for them is doing it for what is right, not because it is political. There is no political gain in this from the standpoint of trying to get help for the black farmers, for me or for anybody else at this point, because it is beyond politics. It is that serious a problem.

1500

And I pledge, I ask for help. I would like for my colleague to communicate. I have asked him to support this. He said he did not know about the resolution. I tried to get a copy to him. When I talked to him at the airport, he said he had not read it yet.

As far as John Boyd is concerned, he is a member of another organization. He is not involved. He has never been to any of the five or six meetings that I have been to. He has never seen what it is like in Arkansas. He does not know what motivates me to try to help.

Even though John Boyd has been in my office, we have had our picture taken together, he asked me for a favor even, and I did it because we had something in common. John Boyd does not have a problem with me or he would not have come to my office, he would not have had his picture made with me. We have talked about it because we have something in common.

So what is the deal? Why are we going to let this become a public record where we have rejected the pleas of the black farmers? As stated by this letter, we rejected their plea for help that someone please and come and help them, no matter what it might be to support those who are trying to help us. It is better than no help at all.

All they see and all they hear in this effort on behalf of the Black Caucus and other people is that this is just one more reason for them to hear the word ''no.'' ''No.'' ''No.'' ''No.''

What we can do is if we can work together, we can work through the appropriations process through the Committee on Agriculture and everybody else, we can work through all of those if we will just get together.

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

Ms. NORTON. Mr. Speaker, I ask unanimous consent to reclaim the time remaining and to yield such time as she may consume to the gentlewoman from North Carolina (Mrs. CLAYTON).

The SPEAKER pro tempore (Mr. PEASE). Without objection, the gentlewoman from the District of Columbia (Ms. NORTON) reclaims her time and yields to the gentlewoman from North Carolina.

There was no objection.

Mrs. CLAYTON. Mr. Speaker, I thank the gentlewoman from the District of Columbia (Ms. NORTON) for yielding me the time.

Mr. Speaker, this resolution expresses the sense of Congress regarding it necessary to expedite the settlement process for discrimination claims against USDA brought by black farmers.

This resolution is well intended. However, much more needs to be done.

Mr. Speaker, in 1997, following four decades of systemic discrimination at USDA, black farmers from throughout the Nation consolidated their claims of discrimination into one class action lawsuit. In that lawsuit, Pigford v. Glickman, the lead plaintiff was from my congressional district.

On January 5, 1999, the plaintiff entered into a 5-year consent decree with USDA. The Court approved the settlement on April 14, 1999.

Since that time, we have had reason to be hopeful and reason to be fearful. We are hopeful because, after months and months of discussion and negotiations, the name plaintiff's case, Mr. Pigford's, has been settled.

Yet we are fearful, because more than a year after the Court approved the settlement, thousands of cases have not yet been adjudicated.

That fact alone makes this resolution somewhat useful. We are hopeful because more than 8,000 cases have been upheld by the adjudicator. Yet, we are fearful because almost 40 percent of the cases have been denied.

We are hopeful because more than $200 million has been paid to claimants. Yet, we are fearful because only a little more than 4,000 claimants have been paid thus far.

Indeed, USDA, in its April 2000 report, Commitment to Progress, acknowledged that there has been some difficulty in coordinating payments and that, in some cases, payments have been delayed.

We are hopeful because the adjudicator has identified more than 2,000 loans for cancellation. Yet, we are fearful because, to date, less than 150 of those loans have actually been canceled although promised. We are fearful because only three of Track B claims, the major claims, have been tried.

At this point, Mr. Speaker, I would have to say that our fear outweighs our hope. It greatly concerns me, and it should greatly concern each of us as well that in my home State of North Carolina, much like every State where farming is a way of life, there has been a 64 percent decline in minority farmers in just over 15 years, from 6,996 in 1978 to 2,498 farms in 1992.

Black farmers are declining at three times the rate of white farmers.

There are several reasons why the number of black farmers are declining so rapidly. But the one that has been documented time and time again is the discriminatory environment present in the Department of Agriculture, the very agent established to accommodate and assist the special needs of farmers.

The plight of the black farmer in America is a plight that has been fueled by the sting of discrimination. Once land is lost, it is very, very difficult to recover. And land has been lost by black farmers and black families.

Mr. Speaker, it is difficult enough for small farmers to eke out an existence in this time of inclement weather, economic downturns, and big farm takeovers. This difficult situation should not be made more difficult by discrimination rearing its ugly head.

When the history of this century is written, it is my hope that the year 2000 will be recorded as significant in the effort to change the course and the culture of the United States Department of Agriculture and the muddied legacy that it has left for black farmers.

This resolution is a step, perhaps, well-intended in the right direction, but it is a very, very limited step.

Ms. NORTON. Mr. Speaker, I yield back the balance of my time.

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

Mr. Speaker, I thank the gentlewoman from North Carolina (Mrs.

CLAYTON) for her statements. And I think those are the reasons why I have gotten involved. It has taken me a longer time to learn that than she has. But since 1993, I have been listening, I have been meeting, I have been listening, I have been talking, I have been trying to find out. Now what we have is one last plea on my part on behalf of the black farmers.

My statement of January 8 was we cannot proceed any further without my colleagues in Congress being supportive of this effort. If we vote this concurrent resolution down, we are going to be changing it from legislative remedies to political, and I beg my colleagues not to do that.

These black farmers have not, in any way, done anything to deserve this, to be considered a political football, that someone has to be of a certain party or had to be a certain type of person to be able to bring something like this. It is a legislative matter. It is brought so that we can show concurrence. That is what it is.

I plead with my colleagues to let this pass so that we can, at least, say we are in unity with the black farmers. And then we can go forward from there. If we take it away from that, from being legislative, and we make it political and say, no, sir, we are not going to do this because somebody may get credit or can blame somebody else, then the black farmers are going to get a no in the same way that they have been getting noes for years and years and years. A no is a no, no matter what we say to it.

I think it would be a real disservice to their commitment and to their sacrifice for us to say no to them again. I plead with my colleagues to vote for this resolution.

Mr. WATTS of Oklahoma. Mr. Speaker, today the House will be considering House Concurrent Resolution 296, a resolution expressing the sense of Congress that the settlement process for discrimination claims brought by African-American farmers against the Department of Agriculture be carried out in a timely and expeditious manner.

The Secretary of Agriculture has conceded that the Department of Agriculture discriminated against certain African-American farmers in the delivery of payments from the Commodity Credit Corporation and disaster assistance programs during the period from 1981 through 1996. This discrimination has had a significant impact on the lives and economic well-being of these African-American farmers and their families.

A Federal District Court Judge ruled in April, 1999, that these African-American farmers, as a result of this discrimination, are entitled to settlement from the Department of Agriculture. However, even a year later, these claims have not been addressed by the Department of Agriculture in a timely manner. These settlements are desperately needed and much-deserved. The Court-mandated funds will help these farmers recover their losses due to this discrimination and provide them with the financial means to get back on their feet.

I rise in strong support of this resolution and I would like to thank Representative DICKEY for his efforts to ensure that these claims are dealt with fairly and expeditiously. I ask my colleagues in the House to join me in urging the Department of Agriculture to expedite the settlement process and commit the necessary resources to assist these farmers.

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded that their remarks are to be directed to the Chair and not in the second person to other Members of the House.

The question is on the motion offered by the gentleman from Arkansas (Mr. DICKEY), that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 296.

The question was taken.

Mr. THOMPSON of Mississippi. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

GENERAL LEAVE

Mr. DICKEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H. Con. Res. 296.

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

There was no objection.

SOUTHEAST FEDERAL CENTER PUBLIC-PRIVATE DEVELOPMENT ACT OF 2000

Mr. LATOURETTE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3069) to authorize the Administrator of General Services to provide for redevelopment of the Southeast Federal Center in the District of Columbia, as amended.

The Clerk read as follows:

H.R. 3069

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Southeast Federal Center Public-Private Development Act of 2000''.

SEC. 2. SOUTHEAST FEDERAL CENTER DEFINED.

In this Act, the term ''Southeast Federal Center'' means the site in the southeast quadrant of the District of Columbia that is under the control and jurisdiction of the General Services Administration and extends from Issac Hull Avenue on the east to 1st Street on the west, and from M Street on the north to the Anacostia River on the south, excluding an area on the river at 1st Street owned by the District of Columbia and a building west of Issac Hull Avenue and south of Tingey Street under the control and jurisdiction of the Department of the Navy.

SEC. 3. SOUTHEAST FEDERAL CENTER DEVELOPMENT AUTHORITY.

(a) IN GENERAL.—The Administrator of General Services may enter into agreements (including leases, contracts, cooperative agreements, limited partnerships, joint ventures, trusts, and limited liability company agreements) with a private entity to provide for the acquisition, construction, rehabilitation, operation, maintenance, or use of the Southeast Federal Center, including improvements thereon, or such other activities related to the Southeast Federal Center as the Administrator considers appropriate.

(b) TERMS AND CONDITIONS.—An agreement entered into under this section—

(1) shall have as its primary purpose enhancing the value of the Southeast Federal Center to the United States;

(2) shall be negotiated pursuant to such procedures as the Administrator considers necessary to ensure the integrity of the selection process and to protect the interests of the United States;

(3) may provide a lease option to the United States, to be exercised at the discretion of the Administrator, to occupy any general purpose office space in a facility covered under the agreement;

(4) shall not require, unless specifically determined otherwise by the Administrator, Federal ownership of a facility covered under the agreement after the expiration of any lease of the facility to the United States;

(5) shall describe the consideration, duties, and responsibilities for which the United States and the private entity are responsible;

(6) shall provide—

(A) that the United States will not be liable for any action, debt, or liability of any entity created by the agreement; and

(B) that such entity may not execute any instrument or document creating or evidencing any indebtedness unless such instrument or document specifically disclaims any liability of the United States under the instrument or document; and

(7) shall include such other terms and conditions as the Administrator considers appropriate.

(c) CONSIDERATION.—An agreement entered into under this section shall be for fair consideration, as determined by the Administrator. Consideration under such an agreement may be provided in whole or in part through in-kind consideration. In-kind consideration may include provision of space, goods, or services of benefit to the United States, including construction, repair, remodeling, or other physical improvements of Federal property, maintenance of Federal property, or the provision of office, storage, or other usable space.

(d) AUTHORITY TO CONVEY.—In carrying out an agreement entered into under this section, the Administrator is authorized to convey interests in real property, by lease, sale, or exchange, to a private entity.

(e) OBLIGATIONS TO MAKE PAYMENTS.—Any obligation to make payments by the Administrator for the use of space, goods, or services by the General Services Administration on property that is subject to an agreement under this section may only be made to the extent that necessary funds have been made available, in advance, in an annual appropriations Act, to the Administrator from the Federal Buildings Fund established by section 210(f) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 490(f)).

(f) NATIONAL CAPITOL PLANNING COMMISSION.—

(1) STATUTORY CONSTRUCTION.—Nothing in this section may be construed to limit or otherwise affect the authority of the National Capital Planning Commission with respect to the Southeast Federal Center.

(2) VISION PLAN.—An agreement entered into under this section shall ensure that redevelopment of the Southeast Federal Center is consistent, to the extent practicable (as determined by the Administrator), with the objectives of the National Capital Planning Commission's vision plan entitled ''Extending the Legacy: Planning America's Capital in the 21st Century'', adopted by the Commission in November 1997.