

and the people of Kansas is nothing short of remarkable. Ruth Ann Komarek has just completed her 30th year of working for me. That is three, zero, Mr. President.

A native of Ellinwood, KS, Ruth Ann came to my office from the Federal Bureau of Investigation in 1965, while I was still serving in the House of Representatives. She made the transition with me to the Senate in 1968, and she has been hard at work ever since.

Ruth Ann serves as my office manager and supervisor of my mail operation, a mammoth task to say the least. Virtually every letter, fax, postcard, and package that comes into my office passes through her hands. That represents thousands upon thousands of pieces of correspondence every week. She gets each one where it needs to go and tries to make sure that every Kansan who writes to me gets a timely response.

Ruth Ann also spends a lot of time keeping the rest of the staff—especially the interns—in line. New staffers learn that her gruff exterior hides a heart of gold and a great sense of humor, but after she has laid down the law and made them earn their way.

I am proud to recognize Ruth Ann Komarek for all her hard work for me, the Senate, and for Kansas. I look forward to her continued service in the coming years.

Mr. DOLE. Mr. President, I would like to take a moment to commend my colleague from New Hampshire, Senator JUDD GREGG, for the Medicare Improvement and Choice Care Provision Act which he introduced last week.

The Medicare Program has received a great deal of attention in the last year, particularly since early April when the Medicare trustees report stated that the Medicare Program will become insolvent in just 7 years.

Mr. President, Senator GREGG and all Republicans took this report very seriously. But, as anyone who has worked on this issue knows, to ensure the solvency of this program is going to require a great deal of commitment on the part of Congress and the administration.

Our goal is very simple—to preserve, strengthen, and protect the Medicare Program. Today 37 million disabled and elderly Americans rely on Medicare for their health care. For their sake and for the millions of Americans who will rely on this program in the future, we need to take action.

And that is exactly what Senator GREGG has done. The bill that he has introduced not only preserves and protects the current Medicare Program, it also strengthens the program to move it successfully into the 21st century.

Mr. President, as I have said many times in this Chamber, the United States has the best health care system in the world. There is no other nation that compares to the quality of care delivered by our providers, our technology, and our innovation. Although Medicare has provided invaluable

health care services to millions and millions of Americans, in some areas it has not kept pace with many of the advances in health care delivery enjoyed by the private sector.

The bill introduced by Senator GREGG restructures Medicare so that its beneficiaries receive the same range of choices and possibilities that those with private insurance receive today. At the same time, it leaves traditional Medicare completely in place for those Medicare beneficiaries who are happy with the care and services they receive today.

Mr. President, Senator GREGG deserves a great deal of credit for the leadership he has demonstrated on this very complex issue. As Congress is about to begin a very serious debate on Medicare reform in the coming weeks, the work of Senator GREGG will no doubt be an invaluable benefit.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business, extended, is now closed.

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

The PRESIDING OFFICER. Under the provisions of the order, the hour of 10 o'clock having arrived and passed, the Senate will now proceed to consideration of H.R. 1976, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 1976) making appropriations for agriculture, rural development, Food and Drug Administration, and related agencies programs for the fiscal year ending September 30, 1996, and for other purposes.

The Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations, with amendments; as follows:

(The parts of the bill intended to be stricken are shown in boldface brackets and the parts of the bill intended to be inserted are shown in italic.)

H.R. 1976

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1996, and for other purposes, namely:

#### TITLE I

##### AGRICULTURAL PROGRAMS

##### PRODUCTION, PROCESSING, AND MARKETING

##### OFFICE OF THE SECRETARY

##### (INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of the Secretary of Agriculture, and not to exceed \$75,000 for employment under 5 U.S.C. 3109, **[\$10,227,000]** *\$12,801,000*, of which **[\$7,500,000]** *\$10,000,000*, to remain available until expended,

shall be available for InfoShare: *Provided*, That not to exceed \$11,000 of this amount, along with any unobligated balances of representation funds in the Foreign Agricultural Service shall be available for official reception and representation expenses, not otherwise provided for, as determined by the Secretary.

#### EXECUTIVE OPERATIONS

##### CHIEF ECONOMIST

For necessary expenses of the Chief Economist, including economic analysis, risk assessment, cost benefit analysis, and the functions of the World Agricultural Outlook Board, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1622g), and including employment pursuant to the second sentence of the section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed \$5,000 is for employment under 5 U.S.C. 3109, **[\$3,948,000]** *\$3,814,000*.

##### NATIONAL APPEALS DIVISION

For necessary expenses of the National Appeals Division, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed \$25,000 is for employment under 5 U.S.C. 3109, **[\$11,846,000]**.

##### OFFICE OF BUDGET AND PROGRAM ANALYSIS

For necessary expenses of the Office of Budget and Program Analysis, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed \$5,000 is for employment under 5 U.S.C. 3109, **[\$5,899,000]**.

##### CHIEF FINANCIAL OFFICER

For necessary expenses of the Office of the Chief Financial Officer, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed \$10,000 is for employment under 5 U.S.C. 3109, **[\$4,133,000]** *Provided*, That the Chief Financial Officer shall reinstate and market cross-servicing activities of the National Finance Center: *Provided further*, That none of the funds appropriated or otherwise made available by this Act shall be used to obtain, modify, re-engineer, license, operate, implement, or expand commercial off-the-shelf financial management software systems or existing commercial off-the-shelf system financial management contracts, beyond general ledger systems and accounting support software, at the National Finance Center until thirty legislative days after the Secretary of Agriculture submits to the House and Senate Committees on Appropriations a complete and thorough cost-benefit analysis and a certification by the Secretary of Agriculture that this analysis provides a detailed and accurate cost-benefit analysis comparison between obtaining or expanding commercial off-the-shelf software systems and conducting identical or comparable software systems acquisitions, re-engineering, or modifications in-house].

##### OFFICE OF THE ASSISTANT SECRETARY FOR ADMINISTRATION

For necessary salaries and expenses of the Office of the Assistant Secretary for Administration to carry out the programs funded in this Act, **[\$596,000]**.

##### AGRICULTURE BUILDINGS AND FACILITIES AND RENTAL PAYMENTS

##### (INCLUDING TRANSFERS OF FUNDS)

For payment of space rental and related costs pursuant to Public Law 92-313, including authorities pursuant to the 1984 delegation of authority from the Administrator of General Services to the Department of Agriculture under 40 U.S.C. 486, for programs and activities of the Department which are included in this Act, **[\$110,187,000]**, of which

\$20,216,000 shall be retained by the Department for the operation, maintenance, and repair of Agriculture buildings: *Provided*, That in the event an agency within the Department should require modification of space needs, the Secretary of Agriculture may transfer a share of that agency's appropriation made available by this Act to this appropriation, or may transfer a share of this appropriation to that agency's appropriation, but such transfers shall not exceed 5 percent of the funds made available for space rental and related costs to or from this account. In addition, for construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities as necessary to carry out the programs of the Department, where not otherwise provided, \$25,587,000, to remain available until expended; making a total appropriation of \$135,774,000.

#### ADVISORY COMMITTEES (USDA)

For necessary expenses for activities of advisory committees of the Department of Agriculture which are included in this Act, **[\$800,000]** \$650,000: *Provided*, That no other funds appropriated to the Department in this Act shall be available to the Department for support of activities of advisory committees.

#### HAZARDOUS WASTE MANAGEMENT (INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Department of Agriculture, 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, \$15,700,000, to remain available until expended: *Provided*, That appropriations and funds available herein to the Department for Hazardous Waste Management may be transferred to any agency of the Department for its use in meeting all requirements pursuant to the above Acts on Federal and non-Federal lands.

#### DEPARTMENTAL ADMINISTRATION (INCLUDING TRANSFERS OF FUNDS)

For Personnel, Operations, Information Resources Management, Civil Rights Enforcement, Small and Disadvantaged Business Utilization, Administrative Law Judges and Judicial Officer, Disaster Management and Coordination, and Modernization of the Administrative Process, \$27,986,000, to provide for necessary expenses for management support services to offices of the Department and for general administration and disaster management of the Department, repairs and alterations, and other miscellaneous supplies and expenses not otherwise provided for and necessary for the practical and efficient work of the Department, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed \$10,000 is for employment under 5 U.S.C. 3109: *Provided*, That this appropriation shall be reimbursed from applicable appropriations in this Act for travel expenses incident to the holding of hearings as required by 5 U.S.C. 551-558.

#### OFFICE OF THE ASSISTANT SECRETARY FOR CONGRESSIONAL RELATIONS

For necessary salaries and expenses of the Office of the Assistant Secretary for Congressional Relations to carry out the programs funded in this Act, including programs involving intergovernmental affairs and liaison within the executive branch, **[\$3,797,000]** *Provided*, That no other funds appropriated to the Department in this Act shall be available to the Department for support of activities of congressional relations] \$1,764,000.

#### OFFICE OF COMMUNICATIONS

For necessary expenses to carry on services relating to the coordination of programs involving public affairs, for the dissemination of agricultural information, and the coordination of information, work, and programs authorized by Congress in the Department, \$8,198,000, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed \$10,000 shall be available for employment under 5 U.S.C. 3109, and not to exceed \$2,000,000 may be used for farmers' bulletins.

#### OFFICE OF THE INSPECTOR GENERAL

For necessary expenses of the Office of the Inspector General, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and the Inspector General Act of 1978, as amended, \$63,639,000, including such sums as may be necessary for contracting and other arrangements with public agencies and private persons pursuant to section 6(a)(9) of the Inspector General Act of 1978, as amended, including a sum not to exceed \$50,000 for employment under 5 U.S.C. 3109; and including a sum not to exceed **[\$95,000]** \$125,000 for certain confidential operational expenses including the payment of informants, to be expended under the direction of the Inspector General pursuant to Public Law 95-452 and section 1337 of Public Law 97-98: *Provided*, That funds transferred to the Office of the Inspector General through forfeiture proceedings or from the Department of Justice Assets Forfeiture Fund or the Department of the Treasury Forfeiture Fund, as a participating agency, as an equitable share from the forfeiture of property in investigations in which the Office of Inspector General participates, or through the granting of a Petition for Remission or Mitigation, shall be deposited to the credit of this account for law enforcement activities authorized under the Inspector General Act of 1978, as amended, to remain available until expended.

#### OFFICE OF THE GENERAL COUNSEL

For necessary expenses of the Office of the General Counsel, \$27,860,000.

#### OFFICE OF THE UNDER SECRETARY FOR RESEARCH, EDUCATION AND ECONOMICS

For necessary salaries and expenses of the Office of the Under Secretary for Research, Education and Economics to administer the laws enacted by the Congress for the Economic Research Service, the National Agricultural Statistics Service, the Agricultural Research Service and the Cooperative State Research, Education, and Extension Service, \$520,000.

#### ECONOMIC RESEARCH SERVICE

For necessary expenses of the Economic Research Service in conducting economic research and analysis, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1621-1627) and other laws, **[\$53,131,000]** \$53,526,000: *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).

#### NATIONAL AGRICULTURAL STATISTICS SERVICE

For necessary expenses of the National Agricultural Statistics Service in conducting statistical reporting and service work, including crop and livestock estimates, statistical coordination and improvements, and marketing surveys, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1621-1627) and other laws, \$81,107,000: *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 \$40,000 shall be available for employment under 5 U.S.C. 3109.

#### AGRICULTURAL RESEARCH SERVICE

##### (INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to enable the Agricultural Research Service to perform agricultural research and demonstration relating to production, utilization, marketing, and distribution (not otherwise provided for); home economics or nutrition and consumer use including the acquisition, preservation, and dissemination of agricultural information; and for acquisition of lands by donation, exchange, or purchase at a nominal cost not to exceed \$100, **[\$705,610,000]** \$707,000,000: *Provided*, That appropriations hereunder shall be available for temporary 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 \$115,000 shall be available for employment under 5 U.S.C. 3109: *Provided further*, That appropriations hereunder shall be available for the operation and maintenance of aircraft and the purchase of not to exceed one for replacement only: *Provided further*, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for the construction, alteration, and repair of buildings and improvements, but unless otherwise provided the cost of constructing any one building shall not exceed \$250,000, except for greenhouses which shall each be limited to \$1,000,000, and except for ten buildings to be constructed or improved at a cost not to exceed \$500,000 each, and the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building or \$250,000, whichever is greater: *Provided further*, That the limitations on alterations contained in this Act shall not apply to modernization or replacement of existing facilities at Beltsville, Maryland: *Provided further*, That the foregoing limitations shall not apply to replacement of buildings needed to carry out the Act of April 24, 1948 (21 U.S.C. 113a): *Provided further*, That the foregoing limitations shall not apply to the purchase of land at Beckley, West Virginia: *Provided further*, That not to exceed \$190,000 of this appropriation may be transferred to and merged with the appropriation for the Office of the Under Secretary for Research, Education and Economics for the scientific review of international issues involving agricultural chemicals and food additives: *Provided further*, That funds may be received from any State, other political subdivision, organization, or individual for the purpose of establishing or operating any research facility or research project of the Agricultural Research Service, as authorized by law: *Provided further*, That all rights and title of the United States in the property known as USDA Houma Sugar Cane Research Laboratory, consisting of approximately 20 acres in the City of Houma and 150 acres of farmland in Chacahula, Louisiana, including facilities and equipment, shall be conveyed to the American Sugar Cane League Foundation: *Provided further*, That all rights and title of the United States in the Agricultural Research Station at Brawley, California, consisting of 80 acres of land, including facilities and equipment, shall be conveyed to Imperial County, California: *Provided further*, That all rights and title of the United States in the Pecan Genetics and Improvement Research Laboratory, consisting of 84.2 acres of land, including facilities and equipment, shall be conveyed to Texas A&M University: *Provided further*, That the property originally conveyed by the State of Tennessee to the U.S. Department of Agriculture, Agricultural Research Service, in Lewisburg, Tennessee be conveyed to the University of Tennessee.

None of the funds in the foregoing paragraph shall be available to carry out research related to the production, processing or marketing of tobacco or tobacco products.

#### BUILDINGS AND FACILITIES

For acquisition of land, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities as necessary to carry out the agricultural research programs of the Department of Agriculture, where not otherwise provided, \$30,200,000, to remain available until expended (7 U.S.C. 2209b); *Provided*, That funds may be received from any State, other political subdivision, organization, or individual for the purpose of establishing any research facility of the Agricultural Research Service, as authorized by law.

#### COOPERATIVE STATE RESEARCH, EDUCATION, AND EXTENSION SERVICE

##### RESEARCH AND EDUCATION ACTIVITIES

For payments to agricultural experiment stations, for cooperative forestry and other research, for facilities, and for other expenses, including **[\$166,165,000]** \$171,304,000 to carry into effect the provisions of the Hatch Act (7 U.S.C. 361a-361i); **[\$20,185,000]** \$20,809,000 for grants for cooperative forestry research (16 U.S.C. 582a-582-a7); **[\$27,313,000]** \$28,157,000 for payments to the 1890 land-grant colleges, including Tuskegee University (7 U.S.C. 3222); **[\$31,930,000]** \$40,670,000 for special grants for agricultural research (7 U.S.C. 450i(c)); **[\$11,599,000]** \$9,769,000 for special grants for agricultural research on improved pest control (7 U.S.C. 450i(c)); **[\$98,165,000]** \$99,582,000 for competitive research grants (7 U.S.C. 450i(b)); **[\$5,051,000]** \$5,551,000 for the support of animal health and disease programs (7 U.S.C. **[195]** 3195); **[\$1,150,000]** \$500,000 for supplemental and alternative crops and products (7 U.S.C. 3319d); \$500,000 for grants for research pursuant to the *Critical Agricultural Materials Act of 1984* (7 U.S.C. 178) and section 1472 of the *Food and Agriculture Act of 1977*, as amended (7 U.S.C. 3318), to remain available until expended; \$475,000 for rangeland research grants (7 U.S.C. 3331-3336); \$3,500,000 for higher education graduate fellowships grants (7 U.S.C. 3152(b)(6)), to remain available until expended (7 U.S.C. 2209b); \$4,350,000 for higher education challenge grants (7 U.S.C. 3152(b)(1)); \$1,000,000 for a higher education minority scholars program (7 U.S.C. 3152(b)(5)), to remain available until expended (7 U.S.C. 2209b); \$4,000,000 for aquaculture grants (7 U.S.C. 3322); **[\$8,000,000]** \$8,112,000 for sustainable agriculture research and education (7 U.S.C. 5811); \$9,207,000 for a program of capacity building grants to colleges eligible to receive funds under the Act of August 30, 1890 (7 U.S.C. 321-326 and 328), including Tuskegee University, to remain available until expended (7 U.S.C. 2209b); and **[\$6,289,000]** \$10,686,000 for necessary expenses of Research and Education Activities, of which not to exceed \$100,000 shall be for employment under 5 U.S.C. 3109; in all, **[\$389,172,000]** \$418,172,000.

None of the funds in the foregoing paragraph shall be available to carry out research related to the production, processing or marketing of tobacco or tobacco products.

#### NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

For establishment of a Native American institutions endowment fund, as authorized by Public Law 130-382 (7 U.S.C. 301 note.), \$4,600,000.

#### BUILDINGS AND FACILITIES

For acquisition of land, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities and for grants to States and other eligible recipients for such purposes, as necessary to carry out the agricultural research, extension, and teaching pro-

grams of the Department of Agriculture, where not otherwise provided, \$57,838,000, to remain available until expended (7 U.S.C. 2209b).

#### EXTENSION ACTIVITIES

Payments to States, the District of Columbia, Puerto Rico, Guam, the Virgin Islands, Micronesia, Northern Marianas, and American Samoa: For payments for cooperative extension work under the Smith-Lever Act, as amended, to be distributed under sections 3(b) and 3(c) of said Act, and under section 208(c) of Public Law 93-471, for retirement and employees' compensation costs for extension agents and for costs of penalty mail for cooperative extension agents and State extension directors, **[\$264,405,000]** \$272,582,000; payments for the nutrition and family education program for low-income areas under section 3(d) of the Act, **[\$59,588,000]** \$61,431,000; payments for the pest management program under section 3(d) of the Act, **[\$10,947,000]** \$10,947,000; payments for the farm safety program under section 3(d) of the Act, **[\$2,898,000]** \$2,988,000; payments for the pesticide impact assessment program under section 3(d) of the Act, \$3,363,000; payments to upgrade 1890 land-grant college research, extension, and teaching facilities as authorized by section 1447 of Public Law 95-113, as amended (7 U.S.C. 3222b), **[\$7,664,000]** \$7,901,000, to remain available until expended; payments for the rural development centers under section 3(d) of the Act, **[\$921,000]** \$950,000; payments for a groundwater quality program under section 3(d) of the Act, **[\$10,897,000]** \$11,234,000; payments for the agricultural telecommunications program, as authorized by Public Law 101-624 (7 U.S.C. 5926), **[\$1,184,000]** \$1,221,000; payments for youth-at-risk programs under section 3(d) of the Act, **[\$9,700,000]** \$10,000,000; payments for a Nutrition Education Initiative under 3(d) of the Act, \$4,265,000; payments for a food safety program under section 3(d) of the Act, **[\$2,400,000]** \$2,475,000; payments for carrying out the provisions of the Renewable Resources Extension Act of 1978, **[\$3,241,000]** \$3,341,000; payments for Indian reservation agents under section 3(d) of the Act, **[\$1,697,000]** \$1,750,000; payments for sustainable agriculture programs under section 3(d) of the Act, \$3,463,000; payments for rural health and safety education as authorized by section 2390 of Public Law 101-624 (7 U.S.C. 2661 note, 2662), \$2,750,000; payments for cooperative extension work by the colleges receiving the benefits of the second Morrill Act (7 U.S.C. 321-326, 328) and Tuskegee University, **[\$24,708,000]** \$25,472,000; and for Federal administration and coordination including administration of the Smith-Lever Act, as amended, and the Act of September 29, 1977 (7 U.S.C. 341-349), as amended, and section 1361(c) of the Act of October 3, 1980 (7 U.S.C. **[301n]** 301 note), to coordinate and provide program leadership for the extension work of the Department and the several States and insular possessions, **[\$6,181,000]** \$10,998,000; in all, **[\$413,257,000]** \$437,131,000; *Provided*, That funds hereby appropriated pursuant to section 3(c) of the Act of June 26, 1953, and section 506 of the Act of June 23, 1972, as amended, shall not be paid to any State, the District of Columbia, Puerto Rico, Guam, or the Virgin Islands, Micronesia, Northern Marianas, and American Samoa prior to availability of an equal sum from non-Federal sources for expenditure during the current fiscal year.

#### OFFICE OF THE ASSISTANT SECRETARY FOR MARKETING AND REGULATORY PROGRAMS

For necessary salaries and expenses of the Office of the Assistant Secretary for Marketing and Regulatory Programs to administer programs under the laws enacted by the Congress for the Animal and Plant Health Inspection Service, Agricultural Marketing

Service, and the Grain Inspection, Packers and Stockyards Administration, \$605,000.

#### ANIMAL AND PLANT HEALTH INSPECTION SERVICE

##### SALARIES AND EXPENSES

##### (INCLUDING TRANSFERS OF FUNDS)

For expenses, not otherwise provided for, including those pursuant to the Act of February 28, 1947, as amended (21 U.S.C. 114b-c), necessary to prevent, control, and eradicate pests and plant and animal diseases; to carry out inspection, quarantine, and regulatory activities; to discharge the authorities of the Secretary of Agriculture under the Act of March 2, 1931 (46 Stat. 1468; 7 U.S.C. 426-426b); and to protect the environment, as authorized by law, **[\$333,410,000]** \$329,125,000, of which \$4,799,000 shall be available for the control of outbreaks of insects, plant diseases, animal diseases and for control of pest animals and birds to the extent necessary to meet emergency conditions: *Provided*, That in fiscal year 1996, amounts in the agricultural quarantine inspection user fee account shall be available for authorized purposes without further appropriation: *Provided further*, That no funds shall be used to formulate or administer a brucellosis eradication program for the current fiscal year that does not require minimum matching by the States of at least 40 percent: *Provided further*, 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 \$40,000 shall be available for employment under 5 U.S.C. 3109: *Provided further*, That this appropriation shall be available for the operation and maintenance of aircraft and the purchase of not to exceed four, of which two shall be for replacement only: *Provided further*, That, in addition, in emergencies which threaten any segment of the agricultural production industry of this country, the Secretary may transfer from other appropriations or funds available to the agencies or corporations of the Department such sums as he may deem necessary, to be available only in such emergencies for the arrest and eradication of contagious or infectious diseases or pests of animals, poultry, or plants, and for expenses in accordance with the Act of February 28, 1947, as amended, and section 102 of the Act of September 21, 1944, as amended, and any unexpended balances of funds transferred for such emergency purposes in the next preceding fiscal year shall be merged with such transferred amounts: *Provided further*, That appropriations hereunder shall be available pursuant to law (7 U.S.C. 2250) for the repair and alteration of leased buildings and improvements, but unless otherwise provided the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

In fiscal year 1996 the agency is authorized to collect fees to cover the total costs of providing technical assistance, goods, or services requested by States, other political subdivisions, domestic and international organizations, foreign governments, or individuals, provided that such fees are structured such that any entity's liability for such fees is reasonably based on the technical assistance, goods, or services provided to the entity by the agency, and such fees shall be credited to this account, to remain available until expended, without further appropriation, for providing such assistance, goods, or services.

#### BUILDINGS AND FACILITIES

For plans, construction, repair, preventive maintenance, environmental support, improvement, extension, alteration, modernization, 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, **[\$12,541,000]** \$4,973,000, to remain available until expended.

AGRICULTURAL MARKETING SERVICE  
MARKETING SERVICES

For necessary expenses to carry on services related to consumer protection, agricultural 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 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, **[\$46,662,000]** \$46,517,000, 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.

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

Not to exceed \$58,461,000 (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 \$10,451,000 for formulation and administration of marketing agreements and orders pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and the Agricultural Act of 1961.

In fiscal year 1996, no more than \$23,900,000 in section 32 funds shall be used to promote sunflower and cottonseed oil exports as authorized by section 1541 of Public Law 101-624 (7 U.S.C. 1464 note), and such funds shall be used to facilitate additional sales of such oils in world markets.

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 1956 **[1946]** (7 U.S.C. 1623(b)), **[\$1,000,000]** \$1,200,000.

GRAIN INSPECTION, PACKERS AND STOCKYARDS  
ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of the United States Grain Standards Act, as amended, 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, as amended, including field employment pursuant to 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, **[\$23,058,000]** \$23,289,000: *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.

INSPECTION AND WEIGHING SERVICES  
LIMITATION ON INSPECTION AND WEIGHING  
SERVICES EXPENSES

Not to exceed \$42,784,000 (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, **[\$450,000]** \$440,000.

FOOD SAFETY AND INSPECTION SERVICE

For necessary expenses to carry on services authorized by the Federal Meat Inspection Act, as amended, the Poultry Products Inspection Act, as amended, and the Egg Products Inspection Act, as amended, **[\$540,365,000]** \$568,685,000, 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 not be available for shell egg surveillance under section 5(d) of the Egg Products Inspection Act (21 U.S.C. 1034(d)): *Provided further*, That this appropriation shall be available for field employment pursuant to 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.

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 Consolidated Farm Service Agency, Foreign Agricultural Service, and the Commodity Credit Corporation, \$549,000.

CONSOLIDATED FARM SERVICE AGENCY

SALARIES AND EXPENSES

For necessary expenses for carrying out the administration and implementation of programs [delegated to the Consolidated Farm Service Agency by the Secretary under the Federal Crop Insurance Reform and Department of Agriculture Reorganization Act of 1994] administered by the Consolidated Farm Service Agency, **[\$788,388,000]** \$805,888,000: *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 **[\$500,000]** \$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), **[\$2,000,000]** \$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, as amended (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, \$100,000, 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 his 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.

OUTREACH FOR SOCIALLY DISADVANTAGED  
FARMERS

For grants and contracts pursuant to section 2501 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279), \$2,000,000, to remain available until expended.

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, **[\$585,000,000]** \$610,000,000, of which \$550,000,000 shall be for guaranteed loans; operating loans, **[\$2,300,000,000]** \$2,450,000,000, of which \$1,700,000,000 shall be for unsubsidized guaranteed loans and \$200,000,000 shall be for subsidized guaranteed loans; Indian tribe land acquisition loans as authorized by 25 U.S.C. 488, \$750,000; for emergency insured loans, \$100,000,000 to meet the needs resulting from natural disasters; and for credit sales of acquired property, **[\$22,500,000]** \$21,696,000.

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, **[\$28,206,000]** \$34,053,000, of which \$20,019,000 shall be for guaranteed loans; operating loans, **[\$91,000,000]** \$111,505,000, of which \$18,360,000 shall be for unsubsidized guaranteed loans and \$17,960,000 shall be for subsidized guaranteed loans; Indian tribe land acquisition loans as authorized by 25 U.S.C. 488, \$206,000; for emergency insured loans, \$32,080,000 to meet the needs resulting from natural disasters; and for credit sales of acquired property, **[\$4,113,000]** \$3,966,000.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, **[\$221,541,000]**

\$227,258,000, which shall be transferred to and merged with the following accounts in the following amounts: **[\$208,446,000]** \$214,163,000 to "Salaries and Expenses"; \$318,000 to "Rural Utilities Service, Salaries and Expenses"; and \$171,000 to "Rural Housing and Community Development Service, Salaries and Expenses".

#### 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 amended, 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, as amended, 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 1996, such sums as may be necessary to reimburse the Commodity Credit Corporation for net realized losses sustained, but not previously reimbursed (estimated to be \$10,400,000,000 in the President's fiscal year 1996 Budget Request (H. Doc. 104-4)), but not to exceed \$10,400,000,000, pursuant to section 2 of the Act of August 17, 1961, as amended (15 U.S.C. 713a-11).

#### OPERATIONS AND MAINTENANCE FOR HAZARDOUS WASTE MANAGEMENT

For fiscal year 1996, the Commodity Credit Corporation shall not expend more than \$5,000,000 for 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: *Provided*, That expenses shall be for operations and maintenance costs only and that other hazardous waste management costs shall be paid for by the USDA Hazardous Waste Management appropriation in this Act.

#### 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, \$677,000.

##### 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-590f) 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, **[\$629,986,000]** \$637,860,000, to remain available until expended (7 U.S.C. 2209b), of which not less than \$5,852,000 is for snow survey and water forecasting and not less than \$8,875,000 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 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, as amended (43 U.S.C. 1592(c)): *Provided further*, That no part of this appropriation may be expended for soil and water conservation operations under the Act of April 27, 1935 (16 U.S.C. 590a-590f) in demonstration projects: *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).

##### RIVER BASIN SURVEYS AND INVESTIGATIONS

*For necessary expenses to conduct research, investigation, and surveys of watersheds of rivers and other waterways, in accordance with section 6 of the Watershed Protection and Flood Prevention Act approved August 4, 1954, as amended (16 U.S.C. 1006-1009), \$8,369,000: 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 \$60,000 shall be available for employment under 5 U.S.C. 3109.*

##### WATERSHED PLANNING

*For necessary expenses for small watershed investigations and planning, in accordance with the Watershed Protection and Flood Prevention Act, as amended (16 U.S.C. 1001-1008), \$5,630,000: 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 \$50,000 shall be available for employment under 5 U.S.C. 3109.*

##### WATERSHED AND FLOOD PREVENTION OPERATIONS

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, **[and only high-priority projects authorized by the Flood Control Act (33 U.S.C. 701, 16 U.S.C. 1006a),]** in accordance with the Watershed Protection and Flood Prevention Act approved August 4, 1954, as amended (16 U.S.C. 1001-1005, 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, \$100,000,000, to remain available until expended (7 U.S.C. 2209b) (of which \$15,000,000 shall be available for the watersheds authorized under the Flood Control Act approved June 22, 1936 (33 U.S.C. 701, 16 U.S.C. 1006a), as amended and supplemented): *Provided*, That this appropriation shall be avail-

able 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), as amended, 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.

##### 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, as amended (7 U.S.C. 1010-1011; 76 Stat. 607), and the provisions of the Act of April 27, 1935 (16 U.S.C. 590a-f), and the provisions of the Agriculture and Food Act of 1981 (16 U.S.C. 3451-3461), \$27,000,000, to remain available until expended (7 U.S.C. 2209): 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.*

##### FORESTRY INCENTIVES PROGRAM

*For necessary expenses, not otherwise provided for, to carry out the program of forestry incentives, as authorized in the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2101), including technical assistance and related expenses \$6,325,000, to remain available until expended, as authorized by that Act.*

##### COLORADO RIVER BASIN SALINITY CONTROL PROGRAM

*For necessary expenses for carrying out a voluntary cooperative salinity control program pursuant to section 202(c) of title II of the Colorado River Basin Salinity Control Act, as amended (43 U.S.C. 1592(c)), to be used to reduce salinity in the Colorado River and to enhance the supply and quality of water available for use in the United States and the Republic of Mexico, \$1,000,000, to remain available until expended (7 U.S.C. 2209b), to be used for the establishment of on-farm irrigation management systems, including lateral improvement measures, for making cost-share payments to agricultural landowners and operators, Indian tribes, irrigation districts and associations, local governmental and nongovernmental entities, and other landowners to aid them in carrying out approved conservation practices as determined and recommended by the Secretary, and for associated costs of program planning, information and education, and program monitoring and evaluation.*

##### [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, as amended (16 U.S.C. 1001-1009), \$14,000,000: *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.

##### [CONSERVATION PROGRAMS

**[**For necessary expenses, not otherwise provided for, 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, as amended (7 U.S.C. 1011; 76 Stat. 607), and the provisions of the Act of April 27, 1935 (16 U.S.C. 590a-f), and the provisions of the Agriculture and Food Act of 1981 (16 U.S.C. 3451-

3461), to carry out the program of forestry incentives, as authorized in the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2101), including technical assistance and related expenses, and for carrying out a voluntary cooperative salinity control program pursuant to section 202(c) of title II of the Colorado River Basin Salinity Control Act, as amended (43 U.S.C. 1592(c)), to be used to reduce salinity in the Colorado River and to enhance the supply and quality of water available for use in the United States and the Republic of Mexico, to be used for the establishment of on-farm irrigation management systems, including related lateral improvement measures, for making cost-share payments to agricultural landowners and operators, Indian tribes, irrigation districts and associations, local governmental and nongovernmental entities, and other landowners to aid them in carrying out approved conservation practices as determined and recommended by the Secretary, and for associated costs of program planning, information and education, and program monitoring and evaluation, \$36,000,000, to remain available until expended (7 U.S.C. 2209, 16 U.S.C. 590p(b)(7)): *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.]

WETLANDS RESERVE PROGRAM  
(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the wetlands reserve program pursuant to subchapter C of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3837), **[\$210,000,000]** \$77,000,000, to remain available until expended: *Provided*, That the Secretary is authorized to use the services, facilities, and authorities of the Commodity Credit Corporation for the purpose of carrying out the wetlands reserve program.

CONSOLIDATED FARM SERVICE AGENCY  
AGRICULTURAL CONSERVATION PROGRAM  
(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry into effect the program authorized in sections 7 to 15, 16(a), 16(f), and 17 of the Soil Conservation and Domestic Allotment Act approved February 29, 1936, as amended and supplemented (16 U.S.C. 590g–590o, 590p(a), 590p(f), and 590q), and sections 1001–1004, 1006–1008, and 1010 of the Agricultural Act of 1970, as added by the Agriculture and Consumer Protection Act of 1973 (16 U.S.C. 1501–1504, 1506–1508, and 1510), and including not to exceed \$15,000 for the preparation and display of exhibits, including such displays at State, interstate, and international fairs within the United States, **[\$75,000,000]** \$50,000,000, to remain available until expended (16 U.S.C. 590o), for agreements, excluding administration but including technical assistance and related expenses (16 U.S.C. 590o), except that no participant in the agricultural conservation program shall receive more than \$3,500 per year, except where the participants from two or more farms or ranches join to carry out approved practices designed to conserve or improve the agricultural resources of the community, or where a participant has a long-term agreement, in which case the total payment shall not exceed the annual payment limitation multiplied by the number of years of the agreement: *Provided*, That no portion of the funds for the current year's program may be utilized to provide financial or technical assistance for drainage on wetlands now designated as Wetlands Types 3 (III) through 20 (XX) in United States Department of the Interior, Fish and Wildlife Circular 39, Wetlands of the United States, 1956: *Provided further*, That such amounts shall be available

for the purchase of seeds, fertilizers, lime, trees, or any other conservation materials, or any soil-terracing services, and making grants thereof to agricultural producers to aid them in carrying out approved farming practices as authorized by the Soil Conservation and Domestic Allotment Act, as amended, as determined and recommended by the county committees, approved by the State committees and the Secretary, under programs provided for herein: *Provided further*, That such assistance will not be used for carrying out measures and practices that are primarily production-oriented or that have little or no conservation or pollution abatement benefits: *Provided further*, That not to exceed 5 percent of the allocation for the current year's program for any county may, on the recommendation of such county committee and approval of the State committee, be withheld and allotted to the Natural Resources Conservation Service for services of its technicians in formulating and carrying out the agricultural conservation program in the participating counties, and shall not be utilized by the Natural Resources Conservation Service for any purpose other than technical and other assistance in such counties, and in addition, on the recommendation of such county committee and approval of the State committee, not to exceed 1 percent may be made available to any other Federal, State, or local public agency for the same purpose and under the same conditions: *Provided further*, That not to exceed **[\$11,000,000]** \$15,000,000 of the amount appropriated shall be used for water quality payments and practices in the same manner as permitted under the program for water quality authorized in chapter 2 of subtitle D of title XII of the Food Security Act of 1985, as amended (16 U.S.C. 3838 et seq.).

CONSERVATION RESERVE PROGRAM  
(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the conservation reserve program pursuant to the Food Security Act of 1985 (16 U.S.C. 3831–3845), \$1,781,785,000, to remain available until expended, to be used for Commodity Credit Corporation expenditures for cost-share assistance for the establishment of conservation practices provided for in approved conservation reserve program contracts, for annual rental payments provided in such contracts, and for technical assistance.

TITLE III

RURAL ECONOMIC AND COMMUNITY  
DEVELOPMENT PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR RURAL  
ECONOMIC AND COMMUNITY DEVELOPMENT

For necessary salaries and expenses of the Office of the Under Secretary for Rural Economic and Community Development to administer programs under the laws enacted by the Congress for the Rural Housing and Community Development Service, Rural Business and Cooperative Development Service, and the Rural Utilities Service of the Department of Agriculture, \$568,000.

RURAL COMMUNITY ADVANCEMENT PROGRAM

*For the cost of direct loans, loan guarantees and grants, as authorized by 7 U.S.C. 1926, 1928, and 1932, and 86 Stat. 661–664, as amended; and 42 U.S.C. 1485 and 1490(a), \$528,839,000, to remain available until expended, to be available for loans and grants for rural water and waste disposal and solid waste management grants, new construction of section 515 rental housing, direct loans and loan guarantees for community facilities, loan guarantees for business and industry assistance, and grants for rural business enterprise: Provided, That the costs of direct loans and loan guarantees, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That of the total amount ap-*

*propriated, \$20,044,000 shall be for empowerment zones and enterprise communities, as authorized by Public Law 103–66: Provided further, That if such funds are not obligated for empowerment zones and enterprise communities by June 30, 1996, they shall remain available for other authorized purposes under this head: Provided further, That of the total amount appropriated, not to exceed \$4,500,000 shall be available for contracting with the National Rural Water Association or an equally qualified national organization for a circuit rider program to provide technical assistance for rural water systems: Provided further, That of the total amount appropriated, not to exceed \$20,000,000 shall be available for water and waste disposal systems to benefit the Colonias along the United States/Mexico border, including grants under section 306(c).*

*In addition, for administrative expenses necessary to carry out direct loans, loan guarantees, and grants, \$58,051,000, of which \$57,614,000 shall be transferred to and merged with "Rural Housing and Community Development Service, Salaries and Expenses"; "Rural Utilities Service, Salaries and Expenses"; and "Rural Business and Cooperative Development Service, Salaries and Expenses".*

RURAL HOUSING AND COMMUNITY  
DEVELOPMENT SERVICE  
SALARIES AND EXPENSES

For necessary expenses of the Rural Housing and Community Development Service, including administering the programs authorized by the Consolidated Farm and Rural Development Act, as amended, title V of the Housing Act of 1949, as amended, and cooperative agreements, **[\$42,820,000]** \$50,346,000: *Provided*, That this appropriation shall be available for employment pursuant to the second sentence of 706(a) of the Organic Act of 1944, and not to exceed \$500,000 may be used for employment under 5 U.S.C. 3109.

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, as amended, to be available from funds in the rural housing insurance fund, as follows: **[\$2,250,000,000]** \$2,700,000,000 for loans to section 502 borrowers, as determined by the Secretary, of which \$1,700,000,000 shall be for unsubsidized guaranteed loans; \$35,000,000 for section 504 housing repair loans; \$15,000,000 for section 514 farm labor housing; \$150,000,000 for section 515 rental housing; \$600,000 for site loans; and **[\$35,000,000]** \$42,484,000 for credit sales of acquired property: *Provided*, That notwithstanding section 520 of the Housing Act of 1949, the Secretary of Agriculture may make loans under section 502 of such Act for properties in the Pine View West Subdivision, located in Gibsonville, North Carolina, in the same manner as provided under such section for properties in rural areas].

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, **[\$118,335,000]** \$212,790,000, of which \$2,890,000 shall be for unsubsidized guaranteed loans; section 504 housing repair loans, \$14,193,000; section 514 farm labor housing, \$8,629,000; section 515 rental housing, \$82,035,000, provided the program is authorized for fiscal year 1996; and credit sales of acquired property, **[\$6,100,000]** \$7,405,000.

[In addition, for the cost (as defined in section 502 of the Congressional Budget Act of 1974) of guaranteed loans under a demonstration program of loan guarantees for multifamily rental housing in rural areas, \$1,000,000, to be derived from the amount

made available under this heading for the cost of low-income section 515 loans and to become available for obligation only upon the enactment of authorizing legislation.】

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, 【\$385,889,000】 \$389,818,000, of which 【\$372,897,506】 \$376,860,000 shall be transferred to and merged with the appropriation for "Rural Housing and Community Development Service, 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 forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Housing Act of 1949, as amended, 【\$535,900,000】 \$540,900,000; 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 fiscal year 1996 shall be funded for a five-year period, although the life of any such agreement may be extended to fully utilize amounts obligated.

#### SELF-HELP HOUSING LAND DEVELOPMENT FUND

For the principal amount of direct loans, as authorized by section 523(b)(1)(B) of the Housing Act of 1949, as amended (42 U.S.C. 1490c), \$603,000.

For the cost of direct loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, \$31,000.

#### 【COMMUNITY FACILITY LOANS PROGRAM ACCOUNT

##### 【(INCLUDING TRANSFERS OF FUNDS)

【For the cost of direct loans, \$34,880,000, and for the cost of guaranteed loans, \$3,555,000, as authorized by 7 U.S.C. 1928 and 86 Stat. 661-664, as amended: *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 such sums shall remain available until expended for the disbursement of loans obligated in fiscal year 1996: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$200,000,000 and total loan principal, any part of which is to be guaranteed, not to exceed \$75,000,000: *Provided further*, That of the amounts available for the cost of direct loans not to exceed \$1,208,000, to subsidize gross obligations for the principal amount not to exceed \$6,930,000, shall be available for empowerment zones and enterprise communities, as authorized by Public Law 103-66: *Provided further*, That if such funds are not obligated for empowerment zones and enterprise communities by June 30, 1996, they remain available for other authorized purposes under this head.

【In addition, for administrative expenses to carry out the direct and guaranteed loan programs, \$8,836,000, of which \$8,731,000 shall be transferred to and merged with the appropriation for "Salaries and Expenses".】

#### VERY LOW-INCOME HOUSING REPAIR GRANTS

For grants to the very low-income elderly for essential repairs to dwellings pursuant to

section 504 of the Housing Act of 1949, as amended, \$24,900,000, to remain available until expended.

#### RURAL HOUSING FOR DOMESTIC FARM LABOR

For financial assistance to eligible nonprofit organizations for housing for domestic farm labor, pursuant to section 516 of the Housing Act of 1949, as amended (42 U.S.C. 1486), \$10,000,000, to remain available until expended.

#### 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), \$12,650,000, to remain available until expended (7 U.S.C. 2209b).

#### SUPERVISORY AND TECHNICAL ASSISTANCE GRANTS

For grants pursuant to sections 509(f) and 525 of the Housing Act of 1949, \$1,000,000.

#### RURAL COMMUNITY FIRE PROTECTION GRANTS

For grants pursuant to section 7 of the Cooperative Forestry Assistance Act of 1978 (Public Law 95-313), 【\$1,000,000】 \$3,000,000 to fund up to 50 percent of the cost of organizing, training, and equipping rural volunteer fire departments.

#### COMPENSATION FOR CONSTRUCTION DEFECTS

For compensation for construction defects as authorized by section 509(c) of the Housing Act of 1949, as amended, \$495,000, to remain available until expended.

#### RURAL HOUSING PRESERVATION GRANTS

For grants for rural housing preservation as authorized by section 552 of the Housing and Urban-Rural Recovery Act of 1983 (Public Law 98-181), \$11,000,000.

#### RURAL BUSINESS AND COOPERATIVE DEVELOPMENT SERVICE SALARIES AND EXPENSES

For necessary expenses of the Rural Business and Cooperative Development Service, including administering the programs authorized by the Consolidated Farm and Rural Development Act, as amended; section 1323 of the Food Security Act of 1985; the Cooperative Marketing Act of 1926; for activities relating to the marketing aspects of cooperatives, including economic research findings, as authorized by the Agricultural Marketing Act of 1946; for activities with institutions concerning the development and operation of agricultural cooperatives; and cooperative agreements; 【\$9,520,000】 \$9,013,000: *Provided*, That this appropriation shall be available for employment pursuant to the second sentence of 706(a) of the Organic Act of 1944, and not exceed \$250,000 may be used for employment under 5 U.S.C. 3109.

#### 【RURAL BUSINESS AND INDUSTRY LOANS PROGRAM ACCOUNT

##### 【(INCLUDING TRANSFERS OF FUNDS)

【For the cost of guaranteed loans, \$6,437,000, as authorized by 7 U.S.C. 1928 and 86 Stat. 661-664, as amended: *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 such sums shall remain available until expended for the disbursement of loans obligated in fiscal year 1996: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of guaranteed loans of \$500,000,000: *Provided further*, That of the amounts available for the cost of guaranteed loans including the cost of modifying loans, \$148,000, to subsidize gross obligations for the loan principal, any part of which is guaranteed, not to exceed \$10,842,000, shall be available for empowerment zones and enterprise communities, as authorized by Public Law 103-66: *Provided further*, That if such funds are not obligated for empowerment zones and enterprise communities by June 30, 1996,

they remain available for other authorized activities under this head.

【In addition, for administrative expenses to carry out the direct and guaranteed loan programs, \$14,868,000, of which \$14,747,000 shall be transferred to and merged with the appropriation for "Salaries and Expenses".】

#### RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT

【For the cost of direct loans as authorized by the rural development loan fund (42 U.S.C. 9812(a)) for empowerment zones and enterprise communities, as authorized by title XIII of the Omnibus Budget Reconciliation Act of 1993, \$4,322,000, to subsidize gross obligations for the principal amount of direct loans, \$7,246,000.】

*For the cost of direct loans, \$17,895,000, 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 \$30,000,000: Provided further, That through June 30, 1996, of these amounts, \$6,484,000 shall be available for the cost of direct loans, for empowerment zones and enterprise communities, as authorized by title XIII of the Omnibus Budget Reconciliation Act of 1993, to subsidize gross obligations for the principal amount of direct loans, \$10,870,000.*

*In addition, for administrative expenses necessary to carry out the direct loan programs, \$1,476,000, of which \$1,470,000 shall be transferred to and merged with the appropriation for "Salaries and Expenses".*

#### RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM ACCOUNT

##### (INCLUDING TRANSFERS 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, \$12,865,000.

For the cost of direct loans, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, \$3,729,000.

In addition, for administrative expenses necessary to carry out the direct loan program, 【\$584,000】 \$724,000, which shall be transferred to and merged with the appropriation for "Salaries and Expenses".

#### ALTERNATIVE AGRICULTURAL RESEARCH AND COMMERCIALIZATION REVOLVING FUND

For necessary expenses to carry out the Alternative Agricultural Research and Commercialization Act of 1990 (7 U.S.C. 5901-5908), 【\$5,000,000】 \$10,000,000 is appropriated to the alternative agricultural research and commercialization revolving fund.

#### 【RURAL BUSINESS ENTERPRISE GRANTS

【For grants authorized under section 310B(c) and 310B(j) (7 U.S.C. 1932) of the Consolidated Farm and Rural Development Act to any qualified public or private nonprofit organization, \$45,000,000, of which \$8,381,000 shall be available through June 30, 1996, for assistance to empowerment zones and enterprise communities, as authorized by title XIII of the Omnibus Budget Reconciliation Act of 1993, after which any funds not obligated shall remain available for other authorized purposes under this head: *Provided*, That \$500,000 shall be available for grants to qualified nonprofit organizations to provide technical assistance and training for rural communities needing improved passenger transportation systems or facilities in order to promote economic development.】

#### RURAL TECHNOLOGY AND COOPERATIVE DEVELOPMENT GRANTS

For grants pursuant to section 310(f) of the Consolidated Farm and Rural Development

Act, as amended (7 U.S.C. 1932), **[\$1,500,000]** *\$1,500,000, of which \$1,300,000 may be available for the appropriate technology transfer for rural areas program.*

#### RURAL UTILITIES SERVICE

##### RURAL ELECTRIFICATION AND TELEPHONE LOANS PROGRAM ACCOUNT

###### (INCLUDING TRANSFERS OF FUNDS)

Insured loans pursuant to the authority of section 305 of the Rural Electrification Act of 1936, as amended (7 U.S.C. 935), shall be made as follows: 5 percent rural electrification loans, \$90,000,000; 5 percent rural telephone loans, \$70,000,000; cost of money rural telephone loans, \$300,000,000; municipal rate rural electric loans, **[\$500,000,000]** *\$550,000,000*; and loans made pursuant to section 306 of that Act, \$420,000,000, to remain available until expended.

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, as amended (7 U.S.C. 935), as follows: cost of direct loans, \$35,126,000; cost of municipal rate loans, **[\$54,150,000]** *\$59,565,000*; cost of money rural telephone loans, \$60,000; cost of loans guaranteed pursuant to section 306, \$2,520,000; *Provided*, That notwithstanding [sections 305(c)(2) and] 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, **[\$29,982,000]** *\$32,183,000*, which shall be transferred to and merged with the appropriation for "Salaries and Expenses".

##### RURAL TELEPHONE BANK PROGRAM ACCOUNT

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 amended, as may be necessary in carrying out its authorized programs for the current fiscal year. During fiscal year 1996 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, including the cost of modifying loans, of direct loans authorized by the Rural Electrification Act of 1936, as amended (7 U.S.C. 935), **[\$770,000]** *\$5,023,000*.

In addition, for administrative expenses necessary to carry out the loan programs, **[\$3,541,000]** *\$6,167,000*.

##### DISTANCE LEARNING AND MEDICAL LINK GRANTS

For necessary expenses to carry into effect the programs authorized in sections 2331–2335 of Public Law 101–624, \$7,500,000, to remain available until expended.

##### [RURAL DEVELOPMENT PERFORMANCE PARTNERSHIPS PROGRAM

###### (INCLUDING TRANSFERS OF FUNDS)

[For the cost of direct loans, loan guarantees, and grants, as authorized by 7 U.S.C. 1926, 1928, and 1932, \$435,000,000, to remain available until expended, to be available for loans and grants for rural water and waste disposal and solid waste management grants: *Provided*, That the costs of direct loans and loan guarantees, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That of the total amount appropriated, not to exceed \$4,000,000 shall be available for contracting with the National Rural Water Association or other equally qualified national organization for a

circuit rider program to provide technical assistance for rural water systems: *Provided further*, That of the total amount appropriated, not to exceed \$18,700,000 shall be available for water and waste disposal systems to benefit the Colonias along the United States/Mexico border, including grants pursuant to section 306C: *Provided further*, That of the total amount appropriated, \$18,688,000 shall be for empowerment zones and enterprise communities, as authorized by Public Law 103–66: *Provided further*, That if such funds are not obligated for empowerment zones and enterprise communities by June 30, 1996, they shall remain available for other authorized purposes under this head.

[In addition, for administrative expenses necessary to carry out direct loans, loan guarantees, and grants, \$12,740,000, of which \$12,623,000 shall be transferred and merged with "Rural Utilities Service, Salaries and Expenses".]

##### SALARIES AND EXPENSES

For necessary expenses of the Rural Utilities Service, including administering the programs authorized by the Rural Electrification Act of 1936, as amended, and the Consolidated Farm and Rural Development Act, as amended, **[\$19,211,000]** *\$18,449,000*, of which \$7,000 shall be available for financial credit reports: *Provided*, That this appropriation shall be available for employment pursuant to the second sentence of 706(a) of the Organic Act of 1944, and not to exceed \$103,000 may be used for employment under 5 U.S.C. 3109.

#### 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 Consumer Service, **[\$440,000]** *\$540,000*.

##### FOOD AND CONSUMER SERVICE

###### CHILD NUTRITION PROGRAMS

###### (INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the National School Lunch Act (42 U.S.C. 1751–1769b), and the applicable provisions other than [section 17] sections 17, 19, and 21 of the Child Nutrition Act of 1966 (42 U.S.C. 1772–1785, and 1789); **[\$7,952,424,000]** *\$7,952,610,000*, to remain available through September 30, 1997, of which **[\$2,354,566,000]** *\$2,354,752,000* is hereby appropriated and \$5,597,858,000 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 up to \$3,964,000 shall be available for independent verification of school food service claims: *Provided further*, That \$1,900,000 shall be available to provide financial and other assistance to operate the Food Service Management Institute.

[Notwithstanding any other provision of law, no funds other than provided in this Act may be available for nutrition education and training and the Food Service Management Institute.]

##### 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), \$3,729,807,000, to remain available through September 30, 1997: *Provided*, That for fiscal year 1996, \$20,000,000 that would otherwise be available to States for nutrition services and administration shall be made available for food ben-

efits: *Provided further*, That \$4,000,000 from unobligated balances for supervisory and technical assistance grants may be transferred to and merged with this account: *Provided further*, That up to \$6,750,000 may be used to carry out the farmers' market nutrition program from any funds not needed to maintain current caseload levels: *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 on or after July 1, 1996, any funds recovered from the previous fiscal year in excess of \$100,000,000 may be transferred by the Secretary of Agriculture to the Rural Community Advancement Program and shall remain available until expended: *Provided further*, That none of the funds provided in this Act 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 the Child Nutrition Act of 1966 (42 U.S.C. 1786) (as in effect on September 13, 1995).

##### COMMODITY SUPPLEMENTAL FOOD 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)), including not less than \$8,000,000 for the projects in Detroit, New Orleans, and Des Moines, \$86,000,000 to remain available through September 30, 1997: *Provided*, That none of these funds shall be available to reimburse the Commodity Credit Corporation for commodities donated to the program: *Provided further*, That twenty percent of any Commodity Supplemental Food Program funds carried over from fiscal year 1995 shall be available for administrative costs of the program.

##### FOOD STAMP PROGRAM

For necessary expenses to carry out the Food Stamp Act (7 U.S.C. 2011–2029), **[\$27,097,828,000]** *\$28,097,828,000*: *Provided*, That funds provided herein shall remain available through September 30, 1996, in accordance with section 18(a) of the Food Stamp Act: *Provided further*, That \$1,000,000,000 of the foregoing amount 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 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 \$1,143,000,000 of the foregoing amount shall be available for nutrition assistance for Puerto Rico as authorized by 7 U.S.C. 2028.

##### [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)), section 204(a) of the Emergency Food Assistance Act of 1983, as amended, and section 110 of the Hunger Prevention Act of 1988, \$168,000,000, to remain available through September 30, 1997: *Provided*, That none of these funds shall be available to reimburse the Commodity Credit Corporation for commodities donated to the program: *Provided further*, That none of the funds in this Act or any other Act may be used for demonstration projects in the emergency food assistance program.]

##### FOOD DONATIONS PROGRAMS FOR SELECTED GROUPS

For necessary expenses to carry out section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c (note)),



section 4(b) of the Food Stamp Act (7 U.S.C. 2013(b)), and section 311 of the Older Americans Act of 1965, as amended (42 U.S.C. 3030a), **[\$215,000,000]** \$217,250,000, to remain available through September 30, 1997: *Provided, That notwithstanding any other provision of law, for meals provided pursuant to the Older Americans Act of 1965, a maximum rate of reimbursement to States will be established by the Secretary, subject to reduction if obligations would exceed the amount of available funds, with any unobligated funds to remain available only for obligation in the fiscal year beginning October 1, 1996.*

*For necessary expenses to carry out section 110 of the Hunger Prevention Act of 1988, \$40,000,000.*

#### THE EMERGENCY FOOD ASSISTANCE PROGRAM

*For making payments to States to carry out the Emergency Food Assistance Act of 1983, as amended, \$40,000,000: Provided, That, in accordance with section 202 of Public Law 98-92, these funds shall be available only if the Secretary determines the existence of excess commodities: Provided further, That none of the funds in this Act or any other Act may be used for emergency food assistance program demonstration projects.*

#### FOOD PROGRAM ADMINISTRATION

For necessary administrative expenses of the domestic food programs funded under this Act, **[\$108,323,000]** \$107,215,000, of which \$5,000,000 shall be available only for simplifying procedures, reducing overhead costs, tightening regulations, improving food stamp coupon handling, and assistance in the prevention, identification, and prosecution of fraud and other violations of law; and \$750,000 shall be available for investing in an automated data processing infrastructure for the Food and Consumer Service: *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.*

#### TITLE V

#### FOREIGN ASSISTANCE AND RELATED PROGRAMS

##### FOREIGN AGRICULTURAL SERVICE

##### (INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Foreign Agricultural Service, including carrying out title VI of the Agricultural Act of 1954, as amended (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 \$128,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), **[\$123,520,000]** \$124,775,000, of which \$5,176,000 may be transferred from Commodity Credit Corporation funds, \$2,792,000 may be transferred from the Commodity Credit Corporation account in this Act, and \$1,005,000 may be transferred from the Public Law 480 program account in this Act: *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. 1736) and the foreign assistance programs of the International Development Cooperation Administration (22 U.S.C. 2392).*

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 AND GRANT ACCOUNTS

##### (INCLUDING TRANSFERS OF FUNDS)

For expenses during the current fiscal year, not otherwise recoverable, and unre-

covered prior years' costs, including interest thereon, under the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1691, 1701-1715, 1721-1726, 1727-1727f, 1731-1736g), as follows: (1) \$291,342,000 for Public Law 480 title I credit, including Food for Progress programs; (2) \$25,000,000 is hereby appropriated for ocean freight differential costs for the shipment of agricultural commodities pursuant to title I of said Act and the Food for Progress Act of 1985, as amended; (3) \$821,100,000 is hereby appropriated for commodities supplied in connection with dispositions abroad pursuant to title II of said Act; and (4) \$50,000,000 is hereby appropriated for commodities supplied in connection with dispositions abroad pursuant to title III of said Act and shall be financed from funds credited to the Commodity Credit Corporation pursuant to section 426 of Public Law 103-465: *Provided, That not to exceed 15 percent of the funds made available to carry out any title of said Act may be used to carry out any other title of said Act: Provided further, That such sums shall remain available until expended (7 U.S.C. 2209b).*

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, of direct credit agreements as authorized by 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 agreements under said Act, \$236,162,000.

In addition, for administrative expenses to carry out the Public Law 480 title I credit program, and the Food for Progress Act of 1985, as amended, to the extent funds appropriated for Public Law 480 are utilized, \$1,750,000.

#### SHORT-TERM EXPORT CREDIT

The Commodity Credit Corporation shall make available not less than \$5,200,000,000 in credit guarantees under its export credit guarantee program for short-term credit extended to finance the export sales of United States agricultural commodities and the products thereof, as authorized by section 202(a) of the Agricultural Trade Act of 1978 (7 U.S.C. 5641).

#### INTERMEDIATE-TERM EXPORT CREDIT

The Commodity Credit Corporation shall make available not less than \$500,000,000 in credit guarantees under its export credit guarantee program for intermediate-term credit extended to finance the export sales of United States agricultural commodities and the products thereof, as authorized by section 202(b) of the Agricultural Trade Act of 1978 (7 U.S.C. 5641).

#### 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, \$3,381,000; 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 not to exceed \$2,792,000 may be transferred to and merged with the appropriation for the salaries and expenses of the Foreign Agricultural Service, and of which not to exceed \$589,000 may be transferred to and merged with the appropriation for the salaries and expenses of the Consolidated Farm Service Agency.

#### TITLE VI

#### RELATED AGENCIES AND FOOD AND DRUG ADMINISTRATION DEPARTMENT OF HEALTH AND HUMAN SERVICES

##### FOOD AND DRUG ADMINISTRATION

##### SALARIES AND EXPENSES

For necessary expenses of the Food and Drug Administration, including hire and purchase of passenger motor vehicles; 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; \$904,694,000, of which not to exceed \$84,723,000 in fees pursuant to section 736 of the Federal Food, Drug, and Cosmetic Act may be credited to this appropriation and remain available until expended: *Provided, That fees derived from applications received during fiscal year 1996 shall be subject to the fiscal year 1996 limitation: Provided further, That none of these funds shall be used to develop, establish, or operate any program of user fees authorized by 31 U.S.C. 9701.*

In addition, fees pursuant to section 354 of the Public Health Service Act may be credited to this account, to remain available until expended.

##### BUILDINGS AND FACILITIES

For plans, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of or used by the Food and Drug Administration, where not otherwise provided, **[\$15,350,000]** \$8,350,000, to remain available until expended (7 U.S.C. 2209b).

##### RENTAL PAYMENTS (FDA)

##### (INCLUDING TRANSFERS OF FUNDS)

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, \$46,294,000: *Provided, That in the event the Food and Drug Administration should require modification of space needs, a share of the salaries and expenses appropriation may be transferred to this appropriation, or a share of this appropriation may be transferred to the salaries and expenses appropriation, but such transfers shall not exceed 5 percent of the funds made available for rental payments (FDA) to or from this account.*

#### DEPARTMENT OF THE TREASURY

##### FINANCIAL MANAGEMENT SERVICE

##### PAYMENTS TO THE FARM CREDIT SYSTEM

##### FINANCIAL ASSISTANCE CORPORATION

For necessary payments to the Farm Credit System Financial Assistance Corporation by the Secretary of the Treasury, as authorized by section 6.28(c) of the Farm Credit Act of 1971, as amended, for reimbursement of interest expenses incurred by the Financial Assistance Corporation on obligations issued through 1994, as authorized, \$15,453,000.

##### INDEPENDENT AGENCIES

##### COMMODITY FUTURES TRADING COMMISSION

For necessary expenses to carry out the provisions of the Commodity Exchange Act, as amended (7 U.S.C. 1 et seq.), including the purchase and hire of passenger motor vehicles; the rental of space (to include multiple year leases) in the District of Columbia and elsewhere; and not to exceed \$25,000 for employment under 5 U.S.C. 3109; **[\$49,144,000]** \$54,058,000, including not to exceed \$1,000 for official reception and representation expenses: *Provided, That the Commission is authorized to charge reasonable fees to attendees of Commission sponsored educational events and symposia to cover the*

Commission's costs of providing those events and symposia, and notwithstanding 31 U.S.C. 3302, said fees shall be credited to this account, to be available without further appropriation.

**FARM CREDIT ADMINISTRATION  
ADMINISTRATIVE PROVISION**

**SEC. 601.** (a) For purposes of the administration of chapter 89 of title 5, United States Code, any period of enrollment under a health benefits plan administered by the Farm Credit Administration prior to the effective date of this Act shall be deemed to be a period of enrollment in a health benefits plan under chapter 89 of such title.

(b)(1) An individual who, on September 30, 1995, is covered by a health benefits plan administered by the Farm Credit Administration may enroll in an approved health benefits plan described under section 8903 or 8903a of title 5, United States Code—

(A) either as an individual or for self and family, if such individual is an employee, annuitant, or former spouse as defined under section 8901 of such title; and

(B) for coverage effective on and after September 30, 1995.

(2) An individual who, on September 30, 1995, is entitled to continued coverage under a health benefits plan administered by the Farm Credit Administration—

(A) shall be deemed to be entitled to continued coverage under section 8905a of title 5, United States Code, for the same period that would have been permitted under the plan administered by the Farm Credit Administration; and

(B) may enroll in an approved health benefits plan described under sections 8903 or 8903a of such title in accordance with section 8905A of such title for coverage effective on and after September 30, 1995.

(3) An individual who, on September 30, 1995, is covered as an unmarried dependent child under a health benefits plan administered by the Farm Credit Administration and who is not a member of family as defined under section 8901(5) of title 5, United States Code—

(A) shall be deemed to be entitled to continued coverage under section 8905a of such title as though the individual had, on September 30, 1995, ceased to meet the requirements for being considered an unmarried dependent child under chapter 89 of such title; and

(B) may enroll in an approved health benefits plan described under section 8903 or 8903a of such title in accordance with section 8905a for continued coverage on and after September 30, 1995.

(c) The Farm Credit Administration shall transfer to the Federal Employees Health Benefits Fund established under section 8909 of title 5, United States Code, amounts determined by the Director of the Office of Personnel Management, after consultation with the Farm Credit Administration, to be necessary to reimburse the Fund for the cost of providing benefits under this section not otherwise paid for by the individual's covered by this section. The amount so transferred shall be held in the Fund and used by the Office in addition to the amounts available under section 8906(g)(1) of such title.

(d) The Office of Personnel Management—

(1) shall administer the provisions of this section to provide for—

(A) a period of notice and open enrollment for individuals affected by this section; and

(B) no lapse of health coverage for individuals who enroll in a health benefits plan under chapter 89 of title 5, United States Code, in accordance with this section; and

(2) may prescribe regulations to implement this section.

**TITLE VII—GENERAL PROVISIONS**

**SEC. 701.** Within the unit limit of cost fixed by law, appropriations and authorizations made for the Department of Agriculture for the fiscal year 1996 under this Act shall be

available for the purchase, in addition to those specifically provided for, of not to exceed 665 passenger motor vehicles, of which 642 shall be for replacement only, and for the hire of such vehicles.

**SEC. 702.** Funds in this Act available to the Department of Agriculture shall be available for uniforms or allowances therefor as authorized by law (5 U.S.C. 5901–5902).

**SEC. 703.** Not less than \$1,500,000 of the appropriations of the Department of Agriculture in this Act for research and service work authorized by the Acts of August 14, 1946, and July 28, 1954, and (7 U.S.C. 427, 1621–1629), and by chapter 63 of title 31, United States Code, shall be available for contracting in accordance with said Acts and chapter.

**SEC. 704.** The cumulative total of transfers to the Working Capital Fund for the purpose of accumulating growth capital for data services and National Finance Center operations shall not exceed \$2,000,000: Provided, That no funds in this Act appropriated to an agency of the Department shall be transferred to the Working Capital Fund without the approval of the agency administrator.

**SEC. 705.** New obligational authority provided for the following appropriation items in this Act shall remain available until expended (7 U.S.C. 2209b): Animal and Plant Health Inspection Service, the contingency fund to meet emergency conditions, and integrated systems acquisition project; Consolidated Farm Service Agency, salaries and expenses funds made available to county committees; and Foreign Agricultural Service, middle-income country training program.

New obligational authority for the boll weevil program; up to 10 percent of the screwworm program of the Animal and Plant Health Inspection Service; Food Safety and Inspection Service, field automation and information management project; funds appropriated for rental payments; funds for the Native American institutions endowment fund in the Cooperative State Research, Education, and Extension Service, and funds for the competitive research grants (7 U.S.C. 4501(b)) shall remain available until expended.

**SEC. 706.** No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

**SEC. 707.** Not to exceed \$50,000 of the appropriations available to the Department of Agriculture in this Act shall be available to provide appropriate orientation and language training pursuant to Public Law 94–449.

**SEC. 708.** No funds appropriated by this Act may be used to pay negotiated indirect cost rates on cooperative agreements or similar arrangements between the United States Department of Agriculture and nonprofit institutions in excess of 10 percent of the total direct cost of the agreement when the purpose of such cooperative arrangements is to carry out programs of mutual interest between the two parties. This does not preclude appropriate payment of indirect costs on grants and contracts with such institutions when such indirect costs are computed on a similar basis for all agencies for which appropriations are provided in this Act.

**SEC. 709.** Notwithstanding any other provision of this Act, commodities acquired by the Department in connection with Commodity Credit Corporation and section 32 price support operations may be used, as authorized by law (15 U.S.C. 714c and 7 U.S.C. 612c), to provide commodities to individuals in cases of hardship as determined by the Secretary of Agriculture.

**SEC. 710.** None of the funds in this Act shall be available to reimburse the General Services Administration for payment of space

rental and related costs in excess of the amounts specified in this Act; nor shall this or any other provision of law require a reduction in the level of rental space or services below that of fiscal year [1994] 1995 or prohibit an expansion of rental space or services with the use of funds otherwise appropriated in this Act. Further, no agency of the Department of Agriculture, from funds otherwise available, shall reimburse the General Services Administration for payment of space rental and related costs provided to such agency at a percentage rate which is greater than is available in the case of funds appropriated in this Act.

**SEC. 711.** None of the funds in this Act shall be available to restrict the authority of the Commodity Credit Corporation to lease space for its own use or to lease space on behalf of other agencies of the Department of Agriculture when such space will be jointly occupied.

**SEC. 712.** [None] With the exception of grants awarded under the Small Business Innovation Development Act of 1982, Public Law 97–219, as amended (15 U.S.C. 638), none of the funds in this Act shall be available to pay indirect costs on research grants awarded competitively by the Cooperative State Research, Education, and Extension Service that exceed 14 percent of total Federal funds provided under each award.

**SEC. 713.** Notwithstanding any other provisions of this Act, all loan levels provided in this Act shall be considered estimates, not limitations.

**SEC. 714.** Appropriations to the Department of Agriculture for the cost of direct and guaranteed loans made available in fiscal year 1996 shall remain available until expended to cover obligations made in fiscal year 1996 for the following accounts: the rural development loan fund program account; the Rural Telephone Bank program account; the rural electrification and telecommunications loans program account; and the rural economic development loans program account.

**SEC. 715.** Such sums as may be necessary for fiscal year 1996 pay raises for programs funded by this Act shall be absorbed within the levels appropriated in this Act.

**SEC. 716.** (a) COMPLIANCE WITH BUY AMERICAN ACT.—None of the funds made available in this Act may be expended by an entity unless the entity agrees that in expending the funds the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–10c; popularly known as the “Buy American Act”).

(b) SENSE OF CONGRESS; REQUIREMENT REGARDING NOTICE.—

(1) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or product that may be authorized to be purchased with financial assistance provided using funds made available in this Act, it is the sense of the Congress that entities receiving the assistance should, in expending the assistance, purchase only American-made equipment and products.

(2) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance using funds made available in this Act, the head of each Federal agency shall provide to each recipient of the assistance a notice describing the statement made in paragraph (1) by the Congress.

(c) PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a “Made in America” inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any

contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 717. Notwithstanding the Federal Grant and Cooperative Agreement Act, marketing services of the Agricultural Marketing Service may use cooperative agreements to reflect a relationship between Agricultural Marketing Service and a State or Cooperator to carry out agricultural marketing programs.

SEC. 718. PROHIBITION ON USE OF FUNDS FOR HONEY PAYMENTS OR LOAN FORFEITURES.—Notwithstanding any other provision of this Act, none of the funds appropriated or otherwise made available by this Act shall be used by the Secretary of Agriculture to provide for a total amount of payments and/or total amount of loan forfeitures to a person to support the price of honey under section 207 of the [Agriculture] Agricultural Act of 1949 (7 U.S.C. 1446h) and section 405A of such Act (7 U.S.C. 1425a) in excess of zero dollars in the 1994, 1995, and 1996 crop years.

SEC. 719. None of the funds in this Act may be used to retire more than 5 percent of the Class A stock of the Rural Telephone Bank.

SEC. 720. None of the funds appropriated or otherwise made available by this Act may be used to provide benefits to households whose benefits are calculated using a standard deduction greater than the standard deduction in effect for fiscal year 1995.

SEC. 721. None of the funds made available in this Act may be used for any program, project, or activity when it is made known to the Federal entity or official to which the funds are made available that the program, project, or activity is not in compliance with any applicable Federal law relating to risk assessment, the protection of private property rights, or unfunded mandates.

[SEC. 722. None of the funds made available in this Act shall be used to increase, from the fiscal year 1995 level, the level of Full Time Equivalency Positions (whether through new hires or by transferring full time equivalents from other offices) in any of the following Food and Drug Administration offices: Office of the Commissioner, Office of Policy, Office of External Affairs (Immediate Office, as well as Office of Health Affairs, Office of Legislative Affairs, Office of Consumer Affairs, and Office of Public Affairs), and the Office of Management and Systems (Immediate Office, as well as Office of Planning and Evaluation and Office of Management).

[SEC. 723. None of the funds made available in this Act may be used to provide assistance to, or to pay the salaries of personnel who carry out a market promotion program pursuant to section 203 of the Agricultural Trade Act of 1978 (7 U.S.C. 5623) that provides assistance to, the U.S. Mink Export Development Council or any mink industry trade association.]

SEC. 724. None of the funds appropriated or otherwise made available by this Act shall be used to enroll in excess of 100,000 acres in the fiscal year 1996 wetlands reserve program, as authorized by 16 U.S.C. 3837.

SEC. 725. None of the funds appropriated or otherwise made available by this Act shall be used to pay the salaries of personnel who carry out an export enhancement program (estimated to be \$1,000,000,000 in the President's fiscal year 1996 Budget (H. Doc. 104-4)) if the aggregate amount of funds and/or commodities under such program exceeds \$800,000,000.

SEC. 726. None of the funds made available in this Act shall be used to pay the salaries of personnel to provide assistance to livestock producers under provisions of title VI of the Agricultural Act of 1949 if crop insurance protection or noninsured crop disaster assistance for the

loss of feed produced on the farm is available to the producer under the Federal Crop Insurance Act, as amended.

SEC. 727. None of the funds appropriated or otherwise made available by this Act shall be used to enroll additional acres in the Conservation Reserve Program authorized by 16 U.S.C. 3831-3845: Provided, That 1,579,000 new acres shall be enrolled in the program in the year beginning January 1, 1997.

SEC. 728. DISASTER ASSISTANCE FOR INSECT DAMAGE TO 1995 COTTON CROP.—(a) IN GENERAL.—Notwithstanding any other provision of law, such sums as may be necessary, not to exceed \$41,000,000, of funds of the Commodity Credit Corporation shall be available, through April 15, 1996, to producers of the 1995 crop of cotton that was adversely affected by insect damage under terms and conditions determined by the Secretary of Agriculture.

(b) ADDITIONAL ASSISTANCE.—Any assistance provided under subsection (a) shall be in addition to any assistance provided under Public Law 103-354 or any other provision of law.

SEC. 729. None of the funds appropriated or otherwise made available by this Act may be used to develop compliance guidelines, implement or enforce a regulation promulgated by the Food Safety and Inspection Service on August 25, 1995 (60 Fed. Reg. 44396): Provided, That this regulation shall take effect only if legislation is enacted into law which directs the Secretary of Agriculture to promulgate such regulation, or the House Committee on Agriculture and the Senate Committee on Agriculture, Nutrition and Forestry receive and approve a proposed revised regulation submitted by the Secretary of Agriculture.

This Act may be cited as the "Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1996".

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, this bill proposes fiscal year 1996 funding for the Department of Agriculture, the Food and Drug Administration, the Commodity Futures Trading Commission, and expenses and payments of the farm credit system. As reported, the bill recommends total new budget authority for this new fiscal year of \$63.8 billion. This is \$5.2 billion less than the fiscal year 1995 level. It is \$2.6 billion less than the President's fiscal year 1996 budget request. But it is \$1.2 billion more than the level recommended in bill passed by the House of Representatives.

One interesting thing to observe about this bill is that over 63 percent of the funds proposed to be appropriated in this legislation for the Department of Agriculture will go to funding the Nation's domestic food assistance programs. I can recall, when I was first honored by being given the opportunity of chairing this subcommittee in 1981, the majority of the funds appropriated to the Department of Agriculture for its activities went to funding support activities for production agriculture—reimbursements to the Commodity Credit Corporation, for example, for net realized losses; funds for agriculture research; for soil and water conservation; for rural development. And included in these activities were, of course, the food and nutrition programs such as the Food Stamp Program, Women, Infants, and Children

Program; the School Lunch Programs, elderly feeding programs, commodity distribution programs, a wide variety of domestic food assistance programs.

But, today, we have seen a trend which has now reached a point where the clear majority of the funding required by the Department of Agriculture is for the food and nutrition programs rather than for traditional agriculture programs. So, as we discuss and consider any amendments that Senators will offer to this bill, we must keep in mind that we are doing our part in this bill to meet the challenge of deficit reduction, in trying to control the growth of spending at the Federal level.

We have \$5.2 billion proposed in this bill, less than the amount of budget authority in this fiscal year. I think it is a clear illustration of the commitment of this subcommittee to fulfill the commitment that we have all made in the budget resolution to get better control over our spending practices at the Federal level and to meet the challenge of balancing the budget under the plan to do so over the next 7 years.

To compare the 63 percent level of funding of domestic food programs in this bill with previous years, in this fiscal year those funds total 58 percent of the budget authority in this bill. Including congressional budget scorekeeping adjustments and prior-year spending actions, this bill recommends total discretionary spending of \$13.310 billion in budget authority and \$13.608 billion in outlays for fiscal year 1996. These amounts are consistent with the subcommittee's discretionary spending allocations.

As a result of these constraints of allocation and the budget resolution assumptions and directions, few funding increases are recommended in this bill for any programs and activities under the jurisdiction of the subcommittee. Most programs are funded at or below this current fiscal year level.

There is one significant program increase provided in this bill, a \$260 million increase for the WIC Program, the Women, Infants, and Children Program. This is the same as contained in the bill passed by the House. This increase is necessary if we are going to maintain the 1995 WIC caseload levels during the next year.

Other discretionary spending increases include an additional \$17.9 million for rural housing rental assistance to meet the estimated costs of contract renewal and servicing requirements; an increase of \$42.9 million to continue the efforts of the Food Safety and Inspection Service to assure the safety of our Nation's food supply; a \$5.1 million net increase in rural housing loan program authorizations; a \$50 million increase in farm operating loans; and a \$33 million increase for the food donations program on Indian reservations. Except for rural housing, all of these increases fall well below the increased levels requested by the President in the

budget submission we received this year.

There are funds in the bill for agriculture research and extension programs. In my judgment, the \$1 billion—a little over \$1 billion—appropriated for these activities are funds well invested. We are confronted right now with a real challenge in the production agriculture area because of increased competition from overseas, producers in the international marketplace.

We are confronted with new challenges of pest management, of trying to improve yields while at the same time preserving in a more aggressive way our soil and water resources. To accomplish all of that, and to still make it possible for farmers to operate profitably, we have to invest in upgrading and maintaining our modern technological advantage.

That is the key to the future productivity of our Nation's farmers. That is the key to the realization of the expectations of the American people to have an adequate supply of reasonably priced food and consumer products. So that is why this part of the bill, in my view, is so important.

I wish we had the ability under the constraints of the budget and our allocation to appropriate more money for these purposes. Much of this research is done in Agriculture Research Service facilities throughout the country. These are Department of Agriculture-operated research facilities such as here in the Washington area, in Beltsville, MD, and throughout the country. Other research is done through the Cooperative State Research, Education, and Extension Service account that is funded in this bill, where funds are made available to university and college-research facilities and other sponsoring entities, where funds are matched by the Federal Government to help pay the costs of important research in the agriculture food production and related areas of concern.

So although the \$1.025 billion for agriculture research and extension program activity is \$22 million less than this current year's level and \$17 million less than the President's request, it is \$30 million more than recommended in the House-passed bill. So, in conference we will have a challenge to negotiate what we hope will be an increase in the allocation of funds for these purposes.

For extension activities, the bill provides \$2 million less than the current year's level. But that level of funding is still \$24 million over the House bill level.

For farm credit programs, the bill provides \$3.2 billion in loan levels, which is an increase of \$174 million from the House-recommended level.

The bill also recommends funding for a new Rural Community Advancement Program. We have recommended the consolidation of funding for seven rural development grant and loan programs under one account, consistent with the Senate Agriculture Committee's actions on these programs.

Senators will remember that we have just completed authorizing a reorganization of the Department of Agriculture. This has principally been driven by the leadership of the distinguished Senator from Indiana [Mr. LUGAR] who, as the ranking Republican member of the Agriculture Committee a few years ago, strongly urged our committee to pressure the administration to embark upon a reorganization program. As a matter of fact, current law authorized many of the steps that were urged to be taken by Senator LUGAR, and others, in this area.

But the administration wanted the Congress involved because obviously there were controversies. There were differences of opinion about how far to go, how much to change, which offices to close, how to consolidate regional offices, and where the new offices would be relocated—a wide range of controversial and political hot potato-type issues which the Senate Agriculture Committee worked on very hard.

Senator LEAHY was chairman when our effort began and now, under the chairmanship of Senator LUGAR with Senator LEAHY as ranking member, we are monitoring. We are monitoring the reorganization effort to ensure that, first of all, it is consistent with the new authorities for reorganization granted by the Congress to the President and the administration and that it also is undertaken in a way that makes the Department more efficient and saves money and cuts down the costs that are unnecessary—in many areas, where there has been duplication and overlapping—unnecessary expenditures of funds.

So this bill we are presenting today carries forward some of the principles contained in the Department of Agriculture Reorganization Act and emphasizes consolidation for the purpose of improving delivery of services as well as the efficiency of the Department of Agriculture.

So we spell out in this bill the consolidation of funding for some of these programs so that our bill will reflect the changes and the efforts that have been made or proposed by both the administration and the Congress.

The administration proposed to consolidate a number of programs that we disagreed with them about—their total number was 12 programs—into something called the rural performance partnership initiative. But our proposal consolidates only 7 programs, and represents a reduction of 15.9 percent from the current appropriations level versus the House bill, which proposes a 17.7-percent reduction.

One thing that we were concerned about—I will have to be candid with Senators—is that the administration was suggesting almost a block-grant-type approach to the administration, that they could then allocate to State administrators and give them a wide range of discretion without oversight authority in the Congress for how

these programs were to be administered.

I think it would be an abrogation of congressional responsibility if we went along with that recommendation as I understood it. We are for giving more flexibility to managers and administration officials, but we are not prepared at this point to just simply send a lump sum appropriation to the Department of Agriculture and say, "Why don't you use this any way you think is appropriate."

We are here in a representative capacity for the States, and on the House side for individual citizens, and we have a role to play in this. We are taking that role very seriously. So in our oversight hearings and in the hearings we had in the beginning of this year, where administration officials came to testify about their proposals and how the funds that we would appropriate would be needed, we questioned them very carefully about their intentions in using these funds and how they would shift funds from one activity to another based on local situations.

So what I am saying is that we are in favor of consolidation, we are in favor of giving managers more authority than they may have been given in the past in the strict categories of funding, but we are not willing to turn loose completely of our responsibilities to monitor carefully the administration of these programs and the expenditure of these funds for rural development activities. Rural water and sewer system projects and loans to help build infrastructure facilities in areas that are economically disadvantaged are all a part of this effort. Housing programs, which have been given less than the funds we think are needed by the other body, are also very important.

There are a lot of unmet needs in many parts of the country in this area of concern. In my State of Mississippi, we hope to continue to have a very aggressive effort by the Federal agencies in that State to help improve the economic opportunities of those who live in the small towns and rural communities, opportunities for jobs, opportunities to enjoy a standard of living that will be attractive rather than so unattractive that people are forced to move into the cities. We think that is bad public policy, to see the rural communities deteriorate to such a point where they are uninhabitable and folks do not want to live there anymore.

That is a real problem we face, and we are trying to do something about that in the way we are funding programs in this legislation. States have responsibilities, too. Of course, the private sector does. But we have in this bill some special efforts that we hope will provide incentives for economic activity in rural areas and small towns. We are going to continue to monitor the administration's activities to be sure they are working.

For discretionary conservation programs, the bill recommends \$6 million

more than the House level. It also provides \$2.9 billion in total rural housing loan authorizations. This is \$457 million more than the House level and \$146 million more than the President's request. So we are committed in this legislation to doing something about rural housing.

The other agencies that are funded in this bill, as I mentioned at the outset, include the Commodity Futures Trading Commission, the Food and Drug Administration, and expenses of the Farm Credit Administration.

We trust that the funds proposed to be appropriated for these agencies meet the needs of these agencies. There is always a request for more funding than we are able to provide because we are cutting spending, and we have to remind those who come to testify before our committee that this applies to everybody. There is very little opportunity to provide increases. I have highlighted some of the increases. But it is very rare to see any account in this bill that is funded above the current level of funding. However, the bill does allow increases in funding for some FDA activities, food and drug activities, supported by the authorized Prescription Drug Act, and mammography facilities inspection user fee collections.

This, incidentally, is the same amount as recommended by the other body.

The bill also provides a \$1 billion Food Stamp Program reserve which was not recommended by the House. The administration strongly urged the inclusion of a reserve, and traditionally there has been a reserve to allow for unforeseen activities, economic problems, natural disasters which would cause an emergency need for food stamps that might run the program above the expected level of funding. The administration wanted us to appropriate \$2.5 billion, but we think the amount we have in the bill will be sufficient to protect the continuation of benefits in the event of any unexpected rise in program participation levels.

In addition, the bill provides \$20.5 million above the House level for the Consolidated Farm Service Agency as well as \$10 million for InfoShare. This is the Department's project to integrate its information systems, to improve service delivery to those who depend upon farm and rural service agency activities.

Most of the money in this bill—80 percent—is required to be appropriated under the mandates of Federal law. Only 20 percent of the total amount funded in this bill is discretionary. And so when Senators are looking at this bill and they are saying, well, we can add money or we can take money out, you are only going to be able to suggest amendments to 20 percent of the total \$63.8 billion contained in this bill. The other funds that are appropriated are required to be spent by law. We do not have any choice. That is why it is

important for us to continue our efforts on the second track of changing the law in many areas so that the future requirements for funding will be less than they are today in those areas in which Congress decides to make changes. If we are going to get to that balanced budget figure in 7 years, we are going to have to make changes not only in the appropriations of funds as these bills come up but, more importantly, in the requirements of law that force Congress to spend money every year. So this bill contains 80 percent mandatory expenditures.

To conclude, Mr. President, almost all agriculture and rural development programs have been reduced below current levels to meet the subcommittee's lower discretionary spending allocations. Further cuts in spending limitations have been necessary to offset the few increases that are provided in the bill.

Mr. President, it has been a distinct pleasure and privilege for me to continue to have the honor of working with the distinguished ranking member of the subcommittee, Senator BUMPERS of Arkansas.

He is my neighbor. He is my friend. He has been my colleague now in the Senate for 16 years. I have been here 16 years. I think he was elected to the Senate the same year I was elected to the House.

So we have been here for long enough, I suppose, to know the accounts and to know and understand the needs of our States. And this bill reflects a consensus of Republican and Democratic interests as represented on our subcommittee. And I believe that the bill represents a balanced and responsible level of funding recommendations within the limited resources available to this subcommittee.

I urge my colleagues to support this legislation. I know there may be some differences of opinion on specific items in the bill. But if there are, I hope Senators will bring them up. If they have amendments, we will be glad to consider them. We hope to be able to complete action on this bill tomorrow. And under the unanimous-consent agreement, there will not be any votes on any amendments today before the hour of 5:15 p.m.

I also want to thank all the members of the subcommittee who have helped us develop this legislation. We had a lot of hearings. We had an opportunity to look at the President's budget request. Other requests that Members have suggested we considered. We have tried to be fair with everybody. And I hope that Senators will agree and also agree that this bill does recommend an investment of funds and an allocation of available resources that will help sustain our effort to continue to be the most productive agriculture economy in the world. We have a lot at stake in maintaining this ability, not only to feed and clothe our own citizens here in the United States, but to use this great resource as an economic benefit to cre-

ate jobs through the sale of agriculture commodities and foodstuffs throughout the world.

We are the largest economic exporter of food commodities in the world. This year we are going to bring into our economy a total of about \$50 billion that would represent the value of exports that have been generated by our farm and food industries. So there is a tremendous amount depending upon the support activities that we have funded in this bill. So I hope Senators will support the legislation. And we would appreciate it very much, if you do have amendments, to please bring them to the floor and let us debate them today, complete our debate on as many as we can so we can pass the bill tomorrow.

Mr. BUMPERS addressed the Chair.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. BUMPERS. Mr. President, first, I want to thank my distinguished colleague from Mississippi, Senator COCHRAN, chairman of this subcommittee, for his very kind and generous remarks directed toward me. And I would like to reciprocate by saying that this committee has always been marked by a lot of conciliation and cooperation. I chaired the subcommittee for a couple of years. I did my very best to collaborate and cooperate with Senator COCHRAN when he was ranking member. And we have had that kind of relationship. And I think the Senate would be well served if every committee chairman and ranking member could stand on the floor and honestly say that they have had fine cooperation with each other.

That is not to say that Senator COCHRAN and I have agreed on every jot and tittle in the bill. We have not. But considering the limitations under which he has been laboring, namely, what we call the 602(b) allocation, I think he has performed an outstanding—an outstanding—job of cutting this budget dramatically in accordance with the 602(b) allocation and yet funding programs that both he and I believe are absolutely critical to rural development and agriculture in this country.

Some \$40.2 billion, or 63 percent, of the total funds in this bill go to funding the Nation's domestic food assistance programs: food stamps, national school lunch program, elderly feeding programs, supplemental feeding programs for women, infants and children, usually described as the WIC program. Everybody believes—it is a strange thing—I must say this, some of the social programs which have fallen into disrepute around here and everybody wants to cut has not been true of the WIC program. Everybody knows that if a poor pregnant woman does not get a decent protein diet, the child is going to be brain deficient. And everybody knows that for virtually pennies that can be curbed and eliminated. And the WIC program is designed to make sure that poor pregnant women get a decent diet because we all benefit from that.

I might digress just a moment to say, Mr. President, that everybody in this world was not so favored as I was. I chose my parents very well. A lot of people have not had that opportunity. And so this idea of, "Smell me, why can't everybody be rich and beautiful like me?" has come into too much vogue in the U.S. Congress.

There are an awful lot of people who never had a chance from day one. And some of these programs that everybody thinks were put in over the past years, starting with Franklin Roosevelt, were done just on a whim and caprice or to get votes—there is enough of that to make that characterization credible—but people should realize that these programs were designed to fulfill a purpose. Why does anybody think we have Social Security?

Incidentally, now I am not here just to deliver a moral sermonette this morning, but just to make a few points I do not think hurts occasionally. Why do you think we have Social Security? I am not going to belabor the point. Everybody knows why we have Social Security. It is because parents were oftentimes sort of thrown on the mercy of society because their children either would not or could not take care of them.

So Franklin Roosevelt very wisely decided everybody is entitled to a little dignity in their old age. And that is the reason it is easily the most popular social program that has ever been developed in this country. And now it is not particularly a social program because it is self-funding.

And why is it we have food stamps, which is within the jurisdiction of this committee? We have food stamps because we made a conscious decision in about 1972 that we did not want any child in this country going hungry.

I just returned from a trip abroad which included Mongolia. I notice that the First Lady visited Mongolia about a week after some of us were there. You always learn more on those trips than you think you are going to. Ulaanbaatar, the capital of Mongolia, which is struggling to democratize, which needs our help, has 4,000 children under 10 years of age on the streets. And they die in the wintertime. Strangely enough, that city's motto is "The coldest capital in the world." They need a new PR agent. I cannot imagine anybody wanting to visit a city because it is the coldest city in the world as a capital city.

But my wife Betty, who has spent her life in children's programs, got extremely concerned about that when we got there and discovered that. And she went to some of the facilities where they care for children. And she said these children—they have a central heating system there, which serves virtually the whole city. Can you imagine—can you imagine being dependent on one gigantic pipe to heat an entire city? Well, anyway, these children live in those pipes in the wintertime, but even so they die in great numbers.

They are cast out by their families, abandoned by their families through no fault of their own.

In this country, we decided in 1972 that we did not want street children, we did not want any child to suffer from lack of food. So that is the reason we have food stamps.

I use those illustrations simply because they are two of the most powerful I can think of. But back to the WIC Program, we have fully funded WIC, as long as I can remember in this committee, whether the Republicans or the Democrats are in charge. The Senator from Mississippi has very consciously and nobly made sure that that program was fully funded in this budget.

Mr. President, while we have an awful lot of money in this budget, the amount that the chairman and the committee has to deal with is very small by comparison. Out of \$60 billion plus in the bill, virtually all of it is entitlements, such as food stamps—\$28 billion this year, with a \$1 billion reserve. The President wanted a \$2.5 billion reserve. That simply is not possible within the framework of the amount of money with which we had to deal. Of the \$60 billion plus this committee deals with, only \$13.6 billion is available to us in outlays; that is, the money that will actually be spent in 1996. So we met our allocation. We cut in places where it hurts.

The President says he will veto the House bill, for reasons I am not going to belabor here. I do not believe the President will veto this bill, though he has voiced some concerns.

So, Mr. President, having said all of those things, I would be remiss if I did not say there is one thing that still troubles me about the bill and the only really serious disagreement—and this is a friendly disagreement with my distinguished chairman—and that is the Market Promotion Program.

Both the House and Senate have funded the Market Promotion Program, I believe, at \$110 million. The House put \$110 million in, and that is what the Senate bill has. Senator BRYAN and I will attempt to strike that from this bill at some point during the deliberation on it.

Again, I am not going to belabor that except simply to say I have always—no, not always, I think I may have supported this once or twice—but for the past 3 or 4 years, I have been very much opposed to the Market Promotion Program because it gives money to the biggest corporations in America to help them sell not wheat, not corn abroad—we have \$2 billion in export incentives now, this is only \$110 million. This helps McDonald's, for example, introduce the Big Mac around the world.

I do not know what McDonald's sales are. My guess would be somewhere between \$10 billion and \$15 billion a year. My question is, why on Earth should we be subsidizing McDonald's? Why should we be subsidizing Gallo Wine, another company not exactly a pauper?

There are literally hundreds of corporations on the list, and virtually every one of them are quite able to do these things on their own.

I just simply cannot support that. Last year, we got beat badly. I think we got 36 votes last year—37. We only got 37 votes last year to kill this program. So it seems to me well and healthy. The phones are ringing off the wall now by the companies who enjoy the few million bucks they get out of that program every year.

It is an amazing thing, is it not, how everybody knows exactly when these appropriations bills are coming up. This morning, I watched an ad by the Boeing Corp. It shows all these children in the classroom talking about how wonderful space is, shown intermittently with people space walking. It just so happens that the space station is on the agenda this week. So all these ads start flooding television, and I know that my efforts to kill the space station are probably dead on arrival.

When I think about how we had to labor over this bill to provide money for wastewater and drinking water for rural areas, and as we cut education unbelievably, and as we cut welfare unbelievably, as we are now proposing to cut the earned income tax credit, which I think is one of the best programs to deal with welfare we have ever invented, and then I see us headed toward a \$94 billion—\$94 billion—to throw something into space that we might use to go to Mars. Forget all that medical science research. The Russians have had space stations up for 20 years. If they have gotten anything out of it, they have very carefully guarded it. Nobody knows what it is.

We have been sending shuttles up for as long as I can remember now, and what have we gotten out of it? I noticed this week they developed some tools that they say will work to put the space station together.

I do not want to do the space station debate here. I am simply saying that the deficit is the No. 1 problem in the country, and everybody wants to do something about it, including yours truly. I have been standing back there at my desk since I have been in the Senate saying that. It is a question of priorities. We do not need the space station; we need to educate our children. We do not need the Market Promotion Program; we need to build water and sewer facilities for our rural people under the heading of rural development. We need it for Head Start.

This morning when I went downstairs, Betty was sitting with a man who used to be the dean of the department of public health at Harvard, Howard Hyatt. Over the years, because of Betty's activities in the immunization programs and the peace movement, she got to know Dr. Hyatt. He is secretary of the American Academy of Arts and Sciences. So I got a chance to visit with him for about 30 minutes before I came to work.

He says the American Academy of Arts and Sciences have a lot of projects going, but one of their new ones is literacy. That does not sound very sexy; everybody talks about literacy. But what they want to do, of course, is to develop a program, as they are doing in a pilot program in Boston right now, to try to develop early intervention, which is the key to everything. If a child cannot read, the child has not a dog's chance.

So I told him I would try to help. That is what Head Start is all about, early intervention, teaching children to read.

Mr. President, one of the things trendy in this country is everybody wants to jump on agriculture. You read all those stories lately about how terrible agriculture is and how much they suck out of the Federal Treasury. The truth of the matter is, the American farmers still produce food for the American consumers at a smaller price than any nation on Earth. Happily, commodity prices are at a point now where these subsidies do not amount to nearly as much as they used to, but everybody wants to do away with them. We produce rice in our State and we will ship it to Japan for \$250 a ton. The Japanese farmers get \$900 a ton for growing rice in their own country.

Mr. President, I understand that Senator REID has an amendment and will be here shortly to offer it. I hope that during the course of the day, we can dispose of some of these amendments, start voting on them at 5:15 this afternoon, and finish this bill no later than tomorrow.

Again, my sincere thanks and congratulations to Senator COCHRAN for the magnificent job he has done under unbelievably difficult circumstances.

I yield the floor.

Mr. COCHRAN. Mr. President, I thank the distinguished Senator from Arkansas for his kind remarks and for his help and hard work in putting together this legislation.

When we presented this bill to the full Committee on Appropriations, a number of committee amendments were adopted and approved at that point. I am going to propose a unanimous-consent request that these committee amendments be considered and agreed to, en bloc, with some exceptions which will include two amendments that we adopted, one of which had to do with an earmark of funds that would be available to the Secretary of Agriculture for additional and supplemental disaster assistance and, in addition, to the catastrophic crop insurance benefits that are available to agriculture producers. During the full committee markup, Senator KERREY of Nebraska indicated that he would offer an amendment to strike that provision. So that is exempted from this request.

There is also a provision in the bill dealing with a regulation promulgated by the Department of Agriculture relating to the labeling of frozen poultry

products. One or more of the Senators from California will offer an amendment on that subject. So that amendment is exempted from this proposal.

With that explanation, Mr. President, I ask unanimous consent that the committee amendments to H.R. 1976 be considered and agreed to, en bloc, with the exception of the portion of the committee amendment appearing on page 83, line 4, down through and including line 2 on page 84, provided that no points of order are waived thereon, and that the measure, as amended, be considered as original text for the purpose of further amendment.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

So the committee amendments were considered and agreed to, en bloc, with the exception of the committee amendment beginning on page 83, line 4, through page 84, line 2.

Mr. COCHRAN. Mr. President, I hope Senators will—as suggested by the distinguished Senator from Arkansas—come to the floor now and offer amendments. We will be happy to debate them and consider them.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BUMPERS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### PRIVILEGE OF THE FLOOR

Mr. BUMPERS. Mr. President, I ask unanimous consent that Phil Schwab, a congressional fellow in the Democratic leader's office, be granted floor privileges during floor consideration of the agriculture appropriations bill.

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

Mr. REID addressed the Chair.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, I ask unanimous consent that the pending committee amendment be temporarily laid aside.

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

#### AMENDMENT NO. 2685

(Purpose: To prohibit the use of any funds appropriated under this act for Board of Tea experts)

Mr. REID. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID], for himself and Mr. BROWN, proposes an amendment numbered 2685.

Mr. REID. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place, insert the following:

#### SEC. . BOARD OF TEA EXPERTS.

None of the funds appropriated under this Act may be used for the salaries or expenses of the Board of Tea experts established under section 2 of the Act entitled "An Act to prevent the importation of impure and unwholesome tea", approved March 2, 1897 (21 U.S.C. 42).

Mr. REID. Mr. President, I have heard my friend, the senior Senator from Arkansas and ranking member and comanager of this bill, on many occasions stand on this floor and talk about things he has done or tried to do over the years that keep coming back. Well, this amendment takes second fiddle to none of the amendments that the Senator from Arkansas has offered.

Mr. President, 2 years ago, I offered an amendment to do away with a tea tasting board. The amendment passed. Everyone thought the tea tasting board was history. Wrong. This organization, which was founded and formed in 1897, is back with a vengeance. How? No one seems to know. But it is back spending taxpayers' money tasting tea.

Mr. President, this amendment is offered on behalf of myself and Senator BROWN of Colorado. I would like the RECORD to reflect that.

Mr. President, when I offered this amendment 2 years ago, there was general acceptance that this was the right thing to do. Why? Because it does not seem appropriate anymore that we need people to swish tea around in their mouth to determine if the texture is right and the taste is just right. This is an anachronism that should have gone out right after the turn of the century. Yet, with the new century fast approaching, they are still swishing tea.

I have learned in recent months that my efforts to eliminate the Board of Tea experts somehow was lost in the bureaucratic shuffle that takes place during the conference held on this bill and that takes place in the bowels of the Agricultural Department.

There is no reason for this tea tasting board. The reason people are upset with Government is because of things like this. You would think that a group of gentlemen and ladies working together would have had the courtesy to say, "Senator REID, we are going to keep the Tea Tasting Board; we do not care what you do on the floor." But rather than do that, they sneak around in the dark of the night in some office room here in Washington and figure out a way to thwart the will of Congress.

My amendment passed both bodies 2 years ago, but the Board is still here. This is the reason people are upset about Government.

Is there a single human being in the United States that favors a tea tasting board or the Board of Tea experts? Is there anybody that favors this? The answer is no, unless you are one of the tea tasters. There is no reason for this. Yet, we are spending a couple hundred thousand dollars a year of taxpayers'

money having people meet in some fancy office room and swish tea around in their mouth.

I see no reason, Mr. President, why those in this country who enjoy drinking tea need someone else to tell them what tastes good. I guess I should not feel as upset as I am, because I have to tell you, these tea tasting people have resiliency. When I was a little kid, we would chase lizards, grab a lizard and sometimes jerk off the tail by mistake. But it did not matter, the tail grew back.

These tea-tasting people are just like the lizards. You grab them and jerk something off and they are right back.

I repeat, I should not feel alone because President Nixon tried to get rid of the tea-tasting board. They outsmarted him. He was not easy to outsmart.

I tell you, Mr. President, as long as I am here, I am going to stand and talk about this board of tea experts and tell the American people what an absolute waste of taxpayers' money it is to have them spend \$200,000 a year swishing tea around in their mouths so they can get their expenses paid for a little jaunt to wherever they hold this event every year.

The tea expert board was created as part of the Tea Import Act of 1897. I did not make a mistake. I did not say 1987, I said 1897. There are six outside experts and there is even a person from the FDA that comprises this board.

They are supposed to set standards for tea. As part of their duties, of course, they taste this tea. As I have indicated, Mr. President, the cost of this is about \$200,000 a year. The industry brags that they offset this by about \$70,000 a year with some fee they charge the tea importers.

This might not seem like a lot of money when we talk about billions of dollars every year. This is the kind of thing that causes people to lose their good feeling about government.

No matter how often you stamp this insect out, it comes back. Nobody wants them. We have to do away with this.

Now, I think that probably the Food and Drug Administration and other organizations may need to set some standards on tea. I hope so. Just like they set standards on other things that are imported. But a tea-tasting board? A Board of Tea experts? I think the only tea party we need is a congressional tea party to once and for all drown the organization. Put it out of its misery. There is not anybody in the United States that is going to stand up and cheer for the Board of Tea experts. It seems inappropriate and, I think, morally reprehensible to expend moneys from the Treasury for a program like this.

Mr. President, I always try to do things the right way. Maybe what we should do is have a vote on this. I have the exact words of the Senator from Arkansas—the exact words. “I have some very good news indeed for the

Senator from Nevada. I am not about to stand here and defend an appropriation for a tea-testing board. We will accept his amendment.”

Well, maybe what we need to do is get a vote on this thing. When the managers of a bill, I learned a long time ago, say they will accept an amendment, I think that is usually the way to go but maybe what we need to do is have 100 Senators walk up here and vote on this tea-testing board and maybe that will send a bigger message to the House and maybe to these people in the Agriculture Department that there are certain things we need to get rid of.

Now, Mr. President, I have worked on other things that are really hotly contested and debated issues. The wool and mohair subsidy; that was an issue that had some merit on both sides. I acknowledge that.

As the Senator from Mississippi and the managers of this bill know, either on this bill or at some subsequent time, I am going to do some work on the sugar subsidy. There are merits on both sides of that. I understand that.

The same on the peanut subsidy. Although I think we should get rid of the sugar subsidy and peanut subsidy, there is at least an argument that can be made for those programs. No one is going to get on the floor and defend a Board of Tea experts.

Mr. President, I think we should have a vote on this. I think we should walk in here and rather than have this just accepted, I think we will have a vote on this, whether the U.S. Senate really sincerely wants to send a message to the Agriculture Department that we ought to get rid of this. We want to send a message to the Federal Government generally, these are the kinds of programs that are wasteful and we need not spend taxpayers' money on them.

When we are cutting personnel to our National Park System, when we are debating how much we are going to hurt agriculture, when we are talking about Medicare cuts, can we not cut, once and for all, the tea-tasting board?

Mr. President, I understand the unanimous-consent request that was granted last Friday that we will have votes at a later time. On this amendment, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. COCHRAN. Mr. President, as the Senator discussed his amendment, I recalled that we had this issue before the Senate, as he said, 2 years ago. My recollection is that we agreed at that time that there should not be any Federal funds appropriated by the Congress for this Board of Tea experts, and we specifically included language in the bill that prohibited any funds appropriated in the legislation be used for that purpose.

I am told, as we were sitting here trying to recall the exact details of

that, that the FDA does have some responsibility, under its authority to inspect imported foodstuffs, to determine whether they are safe for human consumption. There is some authority for them to inspect imported foods, and this is an imported consumable food, but that no funds would be used that were appropriated especially for paying expenses of this Board of Tea experts. Our recollection is that industry decided that they would provide the funds to carry out the work that was being done.

I thought that is what was being done. We are checking with the FDA right now to get a reaction from that agency and to find out exactly what their side of the story is. Are they using funds we are appropriating after we have specifically prohibited the use of Federal funds for that purpose?

I want to know the answer to that because I agree with the Senator from Nevada, if we have legislated a prohibition on the use of appropriated funds and this agency continues to use funds that are not authorized, we need to know about it. We need to get somebody up here to answer to that.

I am sympathetic with the amendment the Senator is offering. I urge the Senate approve it.

If, in fact, they are not using appropriated funds, I do not see any point in kicking a dead mule. We could bring the dead mule in here and have all 100 Senators line up here and come kick it if that would make us all feel better, but I do not see any point in going through that. I do not see any need for voting on it if it is not happening and they are not using the appropriated money. I sympathize with the Senator and appreciate his bringing it to the floor of the Senate.

Mr. REID. Mr. President, I appreciate the manner in which the Senator from Mississippi has responded. I could not agree more. The information we have is until recently the American taxpayers directly paid more than 60 percent of the Board's \$200,000 annual cost.

In 1993, the cost was shifted to the American Tea Consumers by raising the fee of 3.5 percent per hundred weight of tea imported to 10 cents. Nonetheless, the taxpayers continue to fund the salary of the chief tea taster, maintain the Federal tearooms, and other related activities. That is what the taxpayers should not be involved in.

I am all for the Food and Drug Administration making sure that the tea that is very popular in this country is safe and is good to drink. But, Mr. President, we have coffee, we have all other kinds of programs that the FDA is involved in, and we do not believe we need a board of coffee experts.

I accept what the Senator has said. If it can be shown, of course, they are not doing this—which I think will be hard to show, because vouchers have already been expended—I will be happy to withdraw my request for a recorded vote. I really think Senator BROWN and I have



something to say, and that is let us stop this. This is outrageous.

I appreciate the support of the managers of the bill.

The PRESIDING OFFICER (Mr. DeWINE). The Senator from Arkansas.

Mr. BUMPERS. Mr. President, I, like the Senator from Mississippi, thought we put this thing to bed 2 years ago. I may be mistaken. These things have a way of resurrecting themselves, even when Senators think they have taken care of it. But I think the vote, if there is a rollcall vote, will be 100 to zip to discontinue this program, or at least discontinue any Federal taxpayers' money being used in it.

I hope either way the Senator will vitiate his request for the yeas and nays because rollcalls take 20 to 30 minutes. My guess is, the way we compute costs of the operation of this body, the rollcall vote will take up almost enough time to cancel out any savings we get by torpedoing the Tea Board. So I hope the Senator will think about that during the day and possibly vitiate his request for the yeas and nays, because I can assure him, every single Senator in the U.S. Senate feels the same way he does.

Mr. REID. Mr. President, let me respond to the managers of this bill. The only reason we need a rollcall vote is so the Senate is on record strongly supporting this amendment. I have the greatest confidence in the Senator from Mississippi and the Senator from Arkansas. I do not know of two more qualified people to handle an appropriations bill, especially an agriculture appropriations bill, than these two distinguished Senators.

Therefore, based on the statements that they just made and regardless of what we find out during the course of the day from our staffs, which I think will confirm basically what I have stated here today—but based on the assurance they will do everything they can to make sure the conference language is very clear that the Federal Government should no longer be involved in the Board of Tea tasting experts, if they need one let it be paid for out of the private sector, I withdraw my request for a recorded vote.

I also believe each time 100 Senators come over here with staff and everything, it costs the taxpayers money and we should not do that needlessly.

So based upon what they have just stated here on the Senate floor, I ask unanimous consent my request for a recorded vote on the amendment now before the Senate be withdrawn.

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

The Senator from Mississippi.

Mr. COCHRAN. I thank the distinguished Senator from Nevada not only for his decision to vitiate the yeas and nays on his amendment, but for his kind comments about the managers of the bill and our efforts to manage this bill for the Senate. He is a good friend and one of the best friends I have in the Senate. I admire and respect him. We

continue to enjoy working with him on matters of mutual concern that come before the Senate.

Mr. President, I do not know we have adopted the amendment. We probably need to do that.

If there is no further debate, we ask the amendment be agreed to.

The PRESIDING OFFICER. If there be no further debate, the question is on agreeing to the amendment.

The amendment (No. 2685) was agreed to.

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

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

The motion to lay on the table was agreed to.

Mr. COCHRAN. Mr. President, we do know of a number of amendments Senators intend to offer to this legislation. We hope we can proceed to consider them in an orderly way. It would be a shame to have periods of time when we do not have amendments being debated or considered by the Senate during today and then wait until tomorrow and everybody wants to offer their amendments tomorrow just before we are going to vote on final passage.

So I encourage Senators to come to the floor now, as Senator REID from Nevada has done, to present their amendments and let us dispose of the amendments or at least debate them, and if we need to have record votes then we will order record votes. We could have a record vote—I know at least one is ordered under the agreement, maybe two; one, at least, after 5:15 today. Then the other votes, if they are needed, will occur tomorrow. We have an order already entered for two amendments to be voted on, and final passage of the welfare reform bill tomorrow at 2:45. There is a period of time tomorrow set aside for concluding remarks on welfare reform.

So as Senators can see, we need to make progress today so we can complete action on this bill and all amendments to it, if at all possible, by noon tomorrow. That was our commitment to the majority leader when we were authorized to take this bill up today, and that is why we began on the bill at 10 o'clock, so Senators could come and offer their amendments and have them debated today. So we hope Senators will cooperate with the managers of the bill in that regard.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DASCHLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

AMENDMENT NO. 2686 TO COMMITTEE AMENDMENT ON PAGE 83, LINE 4, THROUGH PAGE 84, LINE 2

Mr. DASCHLE. Mr. President, on behalf of Senators KERREY and KOHL, I

send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from South Dakota (Mr. DASCHLE), for Mr. KERREY, for himself and Mr. KOHL, proposes an amendment numbered 2686 to committee amendment on page 83, line 4, through page 84, line 2.

Mr. DASCHLE. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 83, strike line 4 through line 15;

On page 43, line 17; strike \$528,839,000 and insert in its place \$563,839,000;

On page 52, line 18; strike \$17,895,000 and insert in its place \$22,395,000;

On page 52, line 24; strike \$30,000,000 and insert in its place \$37,544,000;

On page 55, line 1; strike \$1,500,000 and insert in its place \$3,000,000.

Mr. DASCHLE. Mr. President, I ask unanimous consent that the amendment be laid aside until later today.

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

Mr. DASCHLE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DOLE. I ask unanimous consent that further proceedings under the quorum call be dispensed with.

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

Mr. DOLE. Mr. President, let me indicate to my colleagues that we are on the Agriculture appropriations bill. The managers are available, ready to do business, but nobody is coming forth with amendments. So I urge my colleagues on both sides of the aisle to bring over their amendments. Senator COCHRAN is here. Senator BUMPERS is available. They are ready to do battle or do business, whichever.

We need to finish six appropriations bills before October 1. As I have also indicated, if we finish the six appropriations bills, there is a possibility we will have a recess period for 5 days, which I hope will be an incentive to some of my colleagues to speed up the process.

So, after this bill tomorrow, of course, we will vote on the historic welfare reform bill at probably about 3:30, after disposing of a couple other amendments. But we would like to complete action on the ag appropriations bill by noon tomorrow and then move to another appropriations bill, possibly foreign operations, which we think we could finish in a day and a half. And then it gets a little more difficult. But my view is, with the cooperation of everyone with the managers, we could complete action, say, by September 30, a week from Saturday, probably with a Saturday session.

We probably would not finish all the conference reports, but at least have completed action on the appropriations

bills. That would help avoid what some have referred to as a train wreck because we could continue the Government with a continuing resolution. It would not be a very—we can do that quite easily.

On behalf of the managers, I want to make a plea to my colleagues on both sides of the aisle that they are here, they are ready for business, and we would like to complete action on this bill by noon tomorrow. Thank you.

Mr. BROWN addressed the Chair.

The PRESIDING OFFICER. The Senator from Colorado.

AMENDMENT NO. 2687 TO COMMITTEE AMENDMENT ON PAGE 83, LINE 4, THROUGH PAGE 84, LINE 2

(Purpose: To eliminate the Board of Tea Experts)

Mr. BROWN. Mr. President, I rise to offer an amendment and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Colorado [Mr. BROWN] proposes an amendment numbered 2687 to committee amendment on page 83, line 4, through page 84, line 2.

At the appropriate place in the amendment insert the following:

(a) None of the funds appropriated or made available to the Federal Drug Administration by this Act shall be used to operate the Board of Tea Experts and related activities.

(b) The Tea Importation Act (21 U.S.C. 41 et seq.) is repealed.

Mr. BROWN. Mr. President, I am not sure the amendment makes it clear, but I ask unanimous consent that this be considered as an amendment to the committee amendment that is before the body at this point.

Mr. President, I know the body has already discussed the tea-tasting board. The distinguished chairman of the Appropriations Subcommittee has correctly pointed out we no longer fund in the ag bill the cost of their activities, at least in terms of their per diem.

As I understand it right now, the per diem of \$50 a day is now paid for by the tea-tasting experts themselves. In addition, they pay their own cost of travel and living expenses going to and from Washington to perform their duties.

But, Mr. President, there also exists in our Federal law a requirement for the Food and Drug Administration to pay for the employees that sample the tea. And that is what this amendment gets at. It gets at that cost that is mandated by the Tea Importation Act by repealing it.

Thus, this amendment will not only forbid the paying of the salaries by the FDA employees, but will also repeal the Tea Importation Act. Mr. President, this is a significant step because it says a lot about our commitment as a country to competition.

Currently, the Tea Importation Act can be used to keep out a product from the United States. In effect, what it does is give to the industry the ability to determine what quality is allowed to come into the United States, rather than our consumers. The fundamental

question Members will have to ask themselves is whether or not it is the Government's responsibility, through the tea-tasting board of experts to determine what tea is allowed to come into this Nation and which ones these experts should exclude.

I have great faith and confidence in the ability of consumers in this country to determine for themselves what tea they like and what they do not like. As a matter of fact, it seems ludicrous that in this day and age that we should have delegated to a Government board or agency the ability to decide which tea is permissible to enter into the Nation.

So this amendment is quite straightforward. It forbids the FDA to pay for the employees or eliminates from the bill the ability to pay for the employees that FDA is required to hire. It also repeals the Tea Importation Act.

Mr. President, some will say there is danger to consumers here. Someone could get a bad cup of tea if this amendment is adopted. Indeed, Mr. President, I suspect that is true. It is also possible whether this Board exists or not. But this, more than anything, is an effort to bring competition to our economy and eliminate artificial barriers to trade and to competition.

Moreover, it says a lot about what we envision the purpose is of the Federal Government's role. Those who think the Federal Government should have an all-pervasive role will want to retain those people who gather periodically to taste tea from around the world at Government expense, at least for the employees' salary. But others will think that Americans are competent and capable enough to decide what tea they want.

Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER (Mr. KYL). Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. COCHRAN. Mr. President, if the Senator has completed his statement and yields the floor, let me say we already this morning had an opportunity to talk about this issue during the discussion of the Reid amendment, the amendment offered by the distinguished Senator from Nevada. We discussed during the pendency of his amendment the fact that 2 years ago an amendment was adopted on the floor of the Senate prohibiting the use of any appropriated funds to pay the expenses or the costs of this so-called Tea Board.

It was our understanding at the time that FDA, as part of its responsibility to inspect imported food consumables, had a role to play in determining the fitness for human consumption of imported tea because it was an imported consumable product, and that was the justification Congress was given when inquiries were submitted to the agency about this program and the need for these funds.

It was the sense of the Senate at that time, and we debated the issue then and we agreed, that there should be in the legislation a prohibition against the use of funds to pay the costs of this Tea Board, this expert Board of persons, one of whom had to be employed under this law the Senator from Colorado talks about to serve on this board.

I have no quarrel whatsoever with insisting upon the language that has previously been approved by Congress on this subject. We have inquired already this morning about the reaction of the FDA to accepting the language offered by the Senator from Nevada earlier today. We have accepted that amendment. It has been approved by the Senate on a voice vote. He, likewise, had asked for the yeas and nays and agreed to vitiate the yeas and nays. I do not know of anybody who is going to vote against the amendment.

I certainly am not going to defend the continued use, if it is going on, of federally appropriated funds for the so-called tea tasters that the Senator from Nevada and the Senator from Colorado have brought to our attention again.

I do not know what the reaction of the distinguished Senator from Arkansas to this amendment would be. The only thing that is new in this amendment that was not contained in the Reid amendment is the repeal of a legislative enactment which is spelled out in the amendment offered by Senator BROWN.

I hope that we will refrain from using this appropriations bill as a vehicle for the adoption of amendments that strike out previously enacted legislation. This is not a bill to rewrite farm legislation, Food and Drug Administration authorities, or any other legislative enactment. It is not appropriate on this bill to revisit the body of Federal law on a number of different subjects, including the authorization for this so-called inspection or tea board.

So I hope that Senators will not get the idea that since I am not opposing this amendment that I agree that it is the thing to do, to take up proposals to repeal certain previously enacted laws by the Congress.

I know there are Senators who want to make changes in different kinds of farm program language. I hope that Senators will resist offering those on this bill and wait until we have the farm bill on the floor, wait until the Agriculture Committee has completed its review of all laws on the subject of production agriculture and food inspection and the like. If there are amendments that should be made to existing laws on those subjects, it seems to me the best practice would be to wait until we have that bill on the floor and offer the amendments at that time to that legislation.

This bill appropriates money to fund the programs, it does not write the authority to fund the programs. So we are not talking in this amendment about a funding level, except to say,

and I agree with the Senator, that we should prohibit the use of funds appropriated in this bill to carry out the activities described in the Senator's amendment.

So with that caveat, I suggest that we accept the amendment. I hope the Senator will consider vitiating the yeas and nays. I do not know of any Senator who would vote against this. Maybe it is controversial, but I do not think it is controversial to me. I think the Senator is on the right track, and we ought to do what he says.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. BROWN. Mr. President, this is somewhat different than the Reid amendment that was offered earlier in the day in this respect: It does repeal the underlying act which the distinguished chairman from Mississippi has just outlined for the Senate, one other thing in terms of cost.

The Reid amendment eliminated the salaries for the Board of Tea experts. It did not eliminate the funding of the salaries of the staff. I am advised that the FDA's field force expanded by 6.9 direct FTE's in support of the Tea Importation Program. The average cost is \$6,000 per FTE, and the program cost the agency approximately \$52,500. That was in fiscal year 1994. So it is slightly different than the Reid amendment in that it repeals the underlying Tea Tasters Act and it also eliminates funding for the staff, which the Reid amendment did not.

I very much appreciate the distinguished chairman's support of the amendment. In light of that, I ask unanimous consent to withdraw my request for the yeas and nays.

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

Mr. BROWN. Mr. President, I ask unanimous consent that Senator ABRAHAM be added as a cosponsor.

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

Mr. COCHRAN. Mr. President, one other caveat, if the Senator has completed his statement. We have inquired of the Food and Drug Administration what requirements of law, if any, might be repealed by this amendment related to their obligation to inspect on the basis of determining the fitness for human consumption of imported consumable products. And we are advised that the FTE's, the staff hours that are used for this purpose, are directly related to the obligation of the FDA to certify the fitness for human consumption of imported foodstuffs. So I am told that is their reaction. So that is not the sole purpose of the employees who are described by the Senator from Colorado, to see whether or not the tea tastes good. That has been the big issue.

It sounds kind of ridiculous that people are telling us whether tea tastes good or not. Anybody can decide whether or not something tastes good. That is not what we are suggesting ought to be protected in terms of any

statutory language that may be affected by this amendment.

But if we find that there is a legitimate responsibility to determine whether or not imported foodstuffs will be dangerous for human consumption by citizens of the United States, that is another matter. I hope, as we proceed with the consideration of this issue, whether it is in the markup of the agriculture legislation this year, the re-writing of the farm bill, or wherever else we might have to consider this, that we keep in mind that the FDA is not in the business, or should not be in the business, of just determining whether food tastes good, but whether it is dangerous, whether it has potential harm or consequences. I think we do want to keep in place the authority for those determinations.

Having said that, I think the Senator knows what he is doing, and he is not trying to put anybody in jeopardy of contaminated imported tea. We will make sure that, as we review this statutory language, either on this or other legislation, we keep in mind that important consideration.

The PRESIDING OFFICER. Is there further debate on amendment No. 2687?

Mr. COCHRAN. Mr. President, I am told Senator BUMPERS, the distinguished manager on the Democratic side of the legislation, wishes to express his views on this amendment. So if the distinguished Senator will permit me, I ask unanimous consent that we set aside, temporarily, this amendment so that he may proceed to offer whatever other amendments he may wish to offer at this time; or if he would like to debate this issue further, that we proceed to do that. I would not want to go to a vote on the amendment until the Senator from Arkansas has had an opportunity to be heard.

Mr. BROWN. Mr. President, I thank the Senator for that. Certainly that is appropriate. There are a couple of points I thought might be worthy of making.

This underlying act was passed originally in 1897. It is nearly a century old. Perhaps its length of time says something about the need to take a fresh look at it. The language of the act talks about the purity and quality and fitness of imported tea. Largely, purity and quality, it strikes me, are consumer decisions, not decisions appropriate for the Government.

Certainly, the chairman hits the nail on the head when he says the FDA has a responsibility to make sure that we do not have poisonous foodstuffs harming consumers, and that function, I think, is clearly established under other sections of the law.

Right now, only about 1 percent of the 209 million pounds of tea imported every year is currently rejected due to bad quality. But, Mr. President, I think what is important here is the potential of an industry abusing this kind of law to discourage price cutting and to restrict competition when there is a glut on the market.

Mr. President, the first and only term that I served in the Colorado State Senate was a wonderful experience. In 1973, I got a chance to observe human nature. Colorado had a statute on its books that provided for the testing of plumbers. The State of Colorado wanted to make sure, I guess, that there were not any unqualified plumbers preying on the public. So they would test plumbers for their ability to perform services. On a regular basis, of the plumbers that applied, 90 to 95 percent would pass the exam. Sometimes 100 percent passed. It was not a terribly tough exam.

Colorado, like Arizona and Mississippi, had gone through years of growth. There were always jobs for plumbers in the State. Many came in from out of State. I think they were drawn not only by Colorado's beautiful environment but, I think and suspect, by the job availability as well.

But there was a downturn, as Members will recall, in 1973 and 1974. In 1974, the passage rate on the exam dropped. All of a sudden, plumbers coming into the State, instead of 90 to 95 percent passing, some 70 to 80 percent flunked the exam. What caused this dramatic drop in the qualifications of plumbers? Was it the degradation of their abilities? No. It was a surplus of plumbers within the State. The fact was, what they did was they used a Government board to test and determine who is qualified for admittance into the State in the profession of plumbing as a way of eliminating competition. So when prices were in the process of dropping, they used the Government tool that had been handed them as a way of eliminating new competition.

Leaving this tea tasters statute on the books gives the industry a handle to use against someone who might try to cut prices. It leaves the industry a handle they might use against somebody who would flood the market and reduce prices for the consumer and increase competition.

I think that concept, as well as that fear, that concern—we, the Government, ought to be about protecting and helping the consumer, not endangering the consumer, which is what has drawn me to offer this amendment. It is not just the waste of money under current circumstances. I guess in 1994, we mentioned \$253,500. It is not just that waste of money. It is the concept that we would place in the hands of an industry the ability to restrict or penalize people who might reduce the ability to bring in a product, to reduce prices, and provide options for the consumer.

It seems to me that we need to be very wary about items that reduce competition. There is the potential that this statute could be abused in a difficult market. That is why I think repealing the underlying statute is so important, not just for the cost, not just because of the concept of what Government should and should not do, but because of the potential abuse of

this statute in an anticompetitive fashion.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. COCHRAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. COCHRAN. Mr. President, I have conferred with Senator BUMPERS' staff and also conferred with the legislative committee staff that has jurisdiction over the Food and Drug Administration in this specific legislation which is the subject of the amendment of the Senator from Colorado.

It is our understanding there is no objection from the legislative committee to accepting this amendment.

Under the status of the debate, as I understand it, while the yeas and nays were requested and the yeas and nays were ordered, a unanimous-consent order was entered to vitiate the yeas and nays if we were going to accept it on a voice vote.

We are prepared now to accept the amendment on a voice vote and we are prepared to proceed to that.

The PRESIDING OFFICER. Is there further debate on amendment 2687?

The question is on agreeing to the amendment.

The amendment (No. 2687) was agreed to.

Mr. BROWN. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 2688 TO COMMITTEE AMENDMENT ON PAGE 83, LINE 4 THROUGH PAGE 84, LINE 2

(Purpose: To prohibit the use of appropriated funds to carry out the peanut program)

Mr. BROWN. Mr. President, I rise to offer an amendment and ask for its immediate consideration.

Mr. President, I ask this be considered as an amendment to the committee amendment.

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

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Colorado [Mr. BROWN] proposes an amendment numbered 2688 to the committee amendment on page 83, line 4 through 84, line 2.

The amendment is as follows:

At the appropriate place, insert the following:

**SEC. . PEANUT PROGRAM.**

(a) IN GENERAL.—None of the funds made available under this Act may be used to carry out a price support or production adjustment program for peanuts.

(b) ASSESSMENT.—The Secretary of Agriculture may charge producers a marketing assessment to carry out the program under the same terms and conditions as are prescribed under section 108B(g) of the Agriculture Act of 1949 (7 U.S.C. 1445c-3(g)).

Mr. BROWN. Mr. President, this amendment is different than the previous amendment. What it does is deal with the expenditures for administrative costs for the peanut program. It does not attempt to modify or repeal the underlying program itself.

The reason I do not attempt to repeal the underlying program is because, as I understand it, the Agriculture Committee is diligently reviewing the peanut program and will have recommendations. My understanding is that those recommendations are in effect necessitated by the fact that the passage of the NAFTA agreement has opened up our market which is a protected market, in which peanuts sell for significantly higher amounts in the United States than they do overseas.

NAFTA has opened that market up for competition from Mexico. Mexico has a significant ability to produce peanuts and produce them at world market prices dramatically lower than United States market prices.

The change in the peanut program will be essential. I expect we will be seeing the Agriculture Committee move on that in a diligent fashion.

My amendment is less ambitious in its scope. What it simply suggests is that the administrative costs of the program should not be paid for by the taxpayers of this country, but it does empower the Secretary of Agriculture to charge producers a marketing assessment to carry out the program under the same terms and conditions as prescribed under the law.

What it does is shift from the taxpayers the cost of administering this program over to the people who benefit by this program.

It seems to me that this amendment is fair and reasonable. The savings, we are advised, is in the neighborhood of \$2 million for this year, a potential savings of \$11 million over 5 years should this apply in future years.

I would be remiss if I do not note that the cost to the consumers of this country and to the taxpayers of this country of the peanut program itself is many, many times beyond that.

I am advised that the peanut program costs the American taxpayers \$120 million a year. Let me repeat that: \$120 million a year. That is not peanuts.

This peanut program has placed us in a situation where the taxpayers get hit for \$120 million a year, to support a program that is then priced significantly above the world market.

The costs to the American taxpayers for peanuts is not just the \$120 million a year. It is the American consumer that really pays the price.

Estimates from a GAO report in 1993 indicate that the cost to the consumer could range between \$300 million and \$500 million a year.

What we have is a very unusual agriculture program. The peanut program is much different than most other programs, but not all. In effect what this peanut program does is makes us un-

competitive in the world market, gouges American consumers for between \$300 and \$500 million a year, and impacts the Treasury by \$120 million a year for the program itself.

This amendment is modest. All it does is talk about saving the \$2 million of administrative costs. Mr. President, it is \$2 million we ought to save.

Farmers in America are the most competitive farmers in the world. They are productive. They are creative. They are efficient. The areas where the Americans are not competitive, the areas where the American economy has fallen behind the rest of the world are areas where we have not had vigorous competition. Areas where we do have vigorous competitions, we compete and we outcompete anyone in the world.

While this is a modest move, I look forward with great interest to the actions of the Agriculture Committee in dealing both with the cost for consumer and the cost for the general treasury.

I think this amendment sends a signal. It sends a signal of our commitment to begin to respect the taxpayers with regard to a program that has clearly outgrown its usefulness.

I suspect this will be controversial, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. COCHRAN. Mr. President, let me say that my concerns at this early point in the debate on this amendment surround the fact that we are working in the Agriculture Committee at this time and a meeting is called for this week to consider changes in existing farm legislation, including proposals to modify and reform the peanut program.

I have introduced legislation, for example, that seeks to reduce the overall costs of these programs, but to do so in a way that does not undermine the ability of farmers to continue to produce efficiently and operate at a profit, but how to go about downsizing the expenses of agriculture programs and still maintain that ability to produce what we need in our country, the food and fiber needs, to meet those needs and to still have a sufficient amount to export to contribute to our overall economic health is a big challenge.

I do not think we will be able to adopt incremental change on an appropriations bill that modifies this or any other commodity program that will achieve the goal in a coherent, rational, and orderly way.

This may be an excellent amendment in terms of improving the efficient administration of this program. But I would hate to see us adopt this amendment and have it undermine or in any way adversely affect the effort that we are making for comprehensive reform of agriculture programs in the legislative subcommittee. So that is the concern that I want to raise at this point.

I know there are others who may have more experience and are more of

an expert in the understanding of the workings of the peanut program and how this particular amendment might affect the administration of the peanut program, but I express that concern, still hoping that we can fulfill the commitment that we have made to reduce the costs of these programs.

I know the Congressional Budget Office, for example, has estimated that the reforms I have suggested in my bill to reform the peanut program could achieve savings of over \$300 million over 7 years. This amendment will reduce the cost of the program somewhat. But if we adopt this amendment and then we ask CBO to analyze the effect of the Cochran bill, that is going to have a negative effect. And in our overall effort at comprehensive reform and meeting the targets of reconciliation, we could actually be penalized in our efforts to reform the farm bill by adopting amendments like this one in an appropriations bill. Then we might have to cut other programs, nutrition programs, school lunch program, other farm programs, in order to make up the difference.

So I am hopeful the Senate will take that into account and consider that as we look at this amendment.

Mr. COVERDELL. Mr. President, as I understand it, the Brown amendment would address the commodity program that deals with peanuts, and it would assess peanut growers throughout the United States for the theoretical administrative costs of the program, or approximately \$2 million a year.

Mr. President, this program is over 60 years old. It has been the focus of intense, deliberate, significant debate and discussion within the Agriculture Committee. The Senator from Mississippi, who is here on the floor with us, has been very instrumental in managing the vast array of details related to this program.

And to come into the appropriations process ad hoc and intervene into that process, in my judgment, is inappropriate, and intrudes in a very, very intense process to try to deal with this program and all those Americans that are affected by it and all the complexities. It does not need ad hoc intervention. It does not need ad hoc amendments. I welcome the Senator, who is not a member of this committee, to come forward and work with us with his suggestions. But this is not the way to manage this intensely complicated program.

So I rise against the amendment. I rise against its appropriateness. This is not the place for it. In fact, it will only make more complicated and difficult that which we are trying to do.

Now, Mr. President, I wish I could say that all U.S. programs were producing the kind of economic impact and social good that this program represents. In the United States, the program represents \$1.2 billion in annual farm revenue, 150,000 U.S. jobs, \$200 million in annual exports, and \$6 billion in annual economic impact.

I mentioned a moment ago that the program is about 60 years old. All of the farm community and rural communities that are affected over this extended period of time obviously have become ingrained with the program.

The reach of the program goes beyond those that are directly involved with growing. The reach of this program, over the lengthy period of time which it has existed, now reaches into the financial community, the agribusiness community, the agricultural equipment community, and represents thousands and thousands of jobs and is an economic stabilizer in communities that have suffered immensely over the last 25 or 30 years and continue to suffer from economic decline.

I do not suppose any of us here, if we were designing the program, would design it the way it is today. But those of us who have inherited it have also inherited a social responsibility to the communities affected by it.

Seventy-five percent—Seventy-five percent—of the counties involved in producing this commodity in the United States have a poverty level in excess of 20 percent. These are hard-hit communities. These are communities that have suffered many of the changes that have been occurring when we move from rural to urban.

Most people I hear around here talk about their grave concern about rural America. I hear it everywhere I go. This is where, as they say in my part of the country, the rubber hits the road, because we are talking about a Government partnership, much of rural America represented by this program where changes that are not thought through can create massive—massive—economic instability. They not only affect immensely the health of the family farm in these communities, they affect the financial integrity of the loaning institutions and they affect significantly the extended economic suppliers of the industry.

There are some counties in my State if you just turn the switch off tomorrow will be out of business, flat out of business. These are people who were playing under the rules that were designed by this Government, as I said, over a 60-year period, and they have been playing by those rules.

Having said that, let me say that I take my hat off to this community that surrounds this commodity. I came here a little over 2 years ago. Everybody already knew we were going to be paying a lot of attention to these programs, because this is an era of change.

These people came to the table. Over the last 2 years, they have been working with their Senators, with the Agriculture Committee, and they have been endeavoring to represent and be a part of change. They have proposed and they have stood behind significant reforms in this commodity program. But they do want to be treated responsibly. They do want to be treated as partners. They do want us to appreciate that this arrangement was put in place by this

Government, not them. And they do not want it dealt with in an ad hoc way. They want it to be dealt with as the good Senator from Mississippi has been doing.

I see my colleague from Alabama has come to the floor. The Senators from North Carolina, Texas, and Virginia have produced reforms that are no net cost to the Government. Those reforms will result in a 30-percent loss of income in the farm communities that I represent, but they have supported those kinds of reforms.

Throughout the process, they have been willing to discuss how it can be changed to make it satisfactory to the taxpayer, to the Federal Government and to the economic fragility of these communities. I think they have done so in good faith. I have become an admirer of the dedication to finding a way to make this program satisfactory to the American taxpayers, satisfactory to the producer, and satisfactory to the communities that are represented by this.

I have to say, Mr. President, that I have been struck by the dictionaries we find in Washington. I heard it a lot in the Agriculture Committee. When we talk about something we are doing in urban America, we often talk about our "investment." Somehow, when we get over to the rural communities, that word becomes "subsidy." When it is a Federal program that is working on the economic viability of rural America, that is a subsidy, but if we are talking about building bridges and roads to deal with the issues in urban America, that is an investment.

Both are investments. We are talking about the economic viability of vast rural regions in our country that have very high poverty rates. Of all the various programs that I have viewed, there are very few I have ever seen that cost so little, that produce so many jobs and so much economic good. That is sort of a rarity here, but that is what I see in this program. Not that it is perfect, and we have all acknowledged that and we are all working to change, but that ought to be done in the committee. That ought to be done by the people with the expertise. That ought to be done in good faith with the people that have come to the committee and said, "We are willing to sit down and work out compromises, and we are willing to do things to lower the burden on the American taxpayer."

It should not be done ad hoc in a frittering manner that destabilizes the entire effort that we have been about for the last 2 years. This should be done in the farm bill.

I commend all those Senators for the time they have expended on behalf of trying to reach an appropriate compromise. I commend the communities, as I said earlier, for their willingness to work, and I rise in opposition, in closing, to ad hoc management of a very complicated program that affects thousands of Americans in our country.

Mr. President, I yield the floor and suggest the absence of a quorum.

Mr. COCHRAN addressed the Chair.

The PRESIDING OFFICER. Will the Senator from Georgia withhold?

Mr. COVERDELL. Certainly.

Mr. COCHRAN. Mr. President, I want to say I think the distinguished Senator from Georgia has really given a very eloquent, accurate, and persuasive statement about why this amendment should be rejected. There is no doubt about it; he is a very insightful Senator, and he has come to the Agriculture Committee with a great deal of good common sense and judgment which shows very clearly during his discussion of this amendment.

We are dealing with an appropriations bill. We are at work, on the other hand, trying to reform all of the commodity programs so that we can make them more cost effective, we can make them respond to the challenge of deficit reduction, but at the same time maintain stability in the agriculture sector and the capability for the future, and that is the most productive country in the world.

It is an enormously important sector of our economy, and to start nitpicking on this bill with these programs, like this peanut program that the Senator describes, we are running a great risk. It may sound good, it may make some feel good to vote for a change like this that is being recommended, but it is not going to serve the economic interests of our country as a whole and certainly not those regions of our country that are involved in this program.

I commend the Senator for his eloquent statement and his hard work as a member of our Agriculture Committee. I hope the Senators who heard him will pay attention and vote like he suggests—vote “no” on this amendment.

The PRESIDING OFFICER. Is there further debate on amendment No. 2688?

Mr. BUMPERS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BROWN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

AMENDMENT NO. 2688, AS MODIFIED

Mr. BROWN. Mr. President, I ask unanimous consent at this time to modify my amendment on the peanut program.

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

The amendment (No. 2688), as modified, is as follows:

At the appropriate place, insert the following:

**SEC. . PEANUT PROGRAM.**

(a) IN GENERAL.—None of the funds made available under this Act may be used to pay the salaries and expenses of USDA employees who carry out a price support or production adjustment program for peanuts.

(b) ASSESSMENT.—The Secretary of Agriculture may charge producers a marketing assessment to carry out the program under the same terms and conditions as are prescribed under section 108B(g) of the Agriculture Act of 1949 (7 U.S.C. 1445c-3(g)).

Mr. BROWN. Mr. President, the modification is the product of the diligent work of the senior Senator from Alabama, and thanks to him a drafting error was spotted and corrected. The language that is in the modification makes it clear that this deals only with the administrative costs.

Mr. President, I will read the language that has been added, as it stands, to the modification.

None of the funds made available under this act may be used to pay the salaries and expenses of USDA employees who carry out the price support or production adjustment program for peanuts.

The following paragraph on assessments, which remains exactly as it was in the original amendment, is simply an ability to, through assessments, raise that money that the taxpayers have provided to pay for the salaries and expenses of USDA employees who administer the program.

Mr. President, as I say, this is intended to save about \$2 million a year. It is not a substitute in any way for the changes in the peanut program which will be necessitated regardless of Members' feelings about the program. Those changes will be necessitated by NAFTA and the new competition of peanuts from the Mexican market. But it is, I believe, a step in the right direction to ask the people who benefit by the program to at least pay the administrative costs and not stick the taxpayers with that cost.

Mr. President, I believe this measure will be controversial. It is my understanding there are other Members who want to address it. I understand that the manager of the bill would prefer that the measure to be voted on tomorrow.

So I yield the floor.

Mr. HEFLIN. Mr. President, as I understand it, the distinguished Senator from Colorado has modified the amendment to apply to only administrative costs, of which there are about \$2 million, and that there would be an assessment charged against the producers to carry out the program.

I am sure that the peanut program is controversial and that many programs are controversial. Agriculture programs are controversial, and under the Department of Agriculture every agricultural program is carried out and administered by the Department of Agriculture. Are we going to say that the wheat program, therefore, which is carried out and administered by the Department of Agriculture, if we were to follow the same concept, that on the wheat program there ought to be an assessment against the wheat producers relative to the administration of the wheat program?

If we stop and think about other programs, does this mean that if you carry this philosophy out, the Social Security recipients, therefore, should pay an assessment to the Government for carrying out the Social Security program? Or the Medicare Program? Does this mean that the recipients in this program ought to be assessed the costs to carry out and administer the program?

You could go on with every conceivable program that the Government has that therefore this philosophy would be relative to. Or the same concept could be applied in regard to Senators. Should Senators, therefore, in order to have an accounting system for receipt of their salaries be assessed fees for the Government to carry out that program or to administer that program?

I do not agree with this overall philosophy, and I just point out questions pertaining to it.

I will have a good deal more to say about this later on, but I do want to point out right now that the concept of charging the producers of a program an assessment to administer the program is rather unusual and, if we start it, it ought to be applied across the board to every conceivable program—the orange juice program, the corn program, every program, wherever you are going to do it.

And then there are also other people in the chain that are recipients of a program such as, in the peanut program, the shellers, and then there are the market people, the manufacturers that use it—all of these people who are in effect beneficiaries of a program that ought to be considered rather than just the farmer. We have had a situation where we are looking at farmers today in some of the sections of the country who have had terrible disasters, and I just do not think this is the proper time to be doing something like this.

Overall, the peanut program has cost the taxpayers a relatively small amount of money over the period of time it has been in existence—sometimes as prices go up and prices go down because of market conditions or, on the other hand, because of weather conditions like drought and other things, but in the last 10 years, the peanut program has averaged out costing the Government an average of \$13 million a year. And I do not think any other farm program has been operated as economically and at as little cost to the Government over a like period of time in history.

It will vary. It has gone up sometimes, and then there have been years in which actually the peanut program has made the Government money.

So I think when we look at this matter of saving \$2 million, it certainly calls for a concept, and if we are going to look at it in some equitable and fair way across the board, we ought to consider all other programs. But the major thing is that here we are, as the chairman of the subcommittee, the Senator from Mississippi, has mentioned in a situation where this week we go to

markup relative to a farm bill, and various and sundry approaches may be offered and considered there. I think, therefore, it is premature at this time to be considering it. Certainly, the Agriculture Committee ought to be given an opportunity to look at this before we move forward in this regard.

I yield at this point and will have something else to say later.

Mr. BROWN. Mr. President, first of all, I want to extend my thanks to the distinguished Senator from Alabama. I believe he was off the floor working on another matter when I extended my thanks the first time. But I appreciate his reviewing the amendment and pointing out the need for corrective language, and we have adopted that through a modification. I very much appreciate his kindness and his indulgence in helping to have the amendment accurately brought forward. And by that I do not mean necessarily it says what the Senator would like it to say, but I do mean that he was very helpful in making sure it represented what my wishes were to offer to the body.

Mr. President, the Senator quoted the \$13 million a year cost for the peanut program. The \$120 million cost that I had used in the Chamber was the estimate we had gotten from the Congressional Budget Office for 1995. I believe the Senator was talking about was historic costs. I think both figures are correct and I think it is perfectly appropriate for him to point out the historic cost. That is a reasonable and balanced way to look at it.

Mr. President, he also raised an important point. If this program is to cover its own administrative costs, why not the wheat program? While he was too kind to say it, we produce a lot of wheat in Colorado, and that is a fair question. In my mind—and certainly this is not meant to speak for all the Members, but in my mind this peanut program is different. It is different in that we maintain a price of peanuts in this country that is significantly higher than the world market.

Most of our programs and most of our products in the United States sell for the lowest price in the world. We have the most efficient, productive, creative agriculture of any nation on the face of the Earth, and it shows in our prices. Consumers in America enjoy low prices for farm commodities. Our price for products, including wheat, sets the base.

That is, Europe and Japan not only import wheat, but by importing it they pay more than American consumers because of the costs involved in shipment. People around the world pay a higher price for wheat generally than we do in the United States, so the wheat program goes to a different focus. It does go to market stabilization which is thought to be of help for the consumer. Certainly the wheat program is a program that merits debate at the appropriate time.

At least in my mind, however, the wheat program is a dramatic and dif-

ferent program than the peanut program. Why? It is dramatically different because the peanut program is designed to market our peanuts at a significantly higher price in the world market. That has a dramatically different effect upon consumers and producers than the wheat program that does not attempt to have a significantly higher price for wheat in America than we have in the world market.

Nevertheless, I think the Senator's point is a valid one, and it goes to the heart of the amendment. Should the taxpayers pay for the administrative costs and which ones should the users?

It had been my understanding that, indeed, in Social Security and Medicare the cost of administration was borne by the taxes levied that go into a trust fund, and we are asking to check that right now. I certainly will want to make that point clear for the RECORD. I think the Senator is right to raise that issue. He does come to the heart of this amendment. That is the suggestion that the roughly \$2 million a year cost of administering this program, that markets a commodity at significantly above the world prices, be borne by the participants.

Mr. President, I yield the floor.

Mr. HEFLIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. HEFLIN. Mr. President, I am a supporter of the wheat program. I did not necessarily mean to be picking Colorado. I have always supported the wheat program. I think it is a good program. But there are some distinctions between the wheat program and the peanut program relative to the cost of Government, as there are with a number of commodities.

Basically, the peanut program has a loan rate. That loan rate allows for farmers to—in bad times when the price is low or when there are weather conditions and such—put their product that they have produced into a loan. And then the CCC can take it out of the loan and set it. They have to pay interest on it when they do, or else the Government can, of course, have a non-recourse loan and can sell it on the world market.

But the wheat program and most commodities have a greater cost rather than just the loan. That is the target price or deficiency payment. And there is no deficiency payment, there is no target price in peanuts at all. I think sometimes we have misunderstood various farm programs and other things also. But the peanut program does not have the deficiency payments at a great number. I am a supporter of the farm programs that allow for the target prices and allow for the deficiency payment. But I do make that distinction, the distinction being raised about that at this time.

So we will be discussing it further.

Mr. COCHRAN addressed the Chair.

The PRESIDING OFFICER (Mr. FRIST). The Senator from Mississippi.

Mr. COCHRAN. Mr. President, I know there may be other Senators who want

to speak on this amendment. I have expressed my concerns already. We have heard from the distinguished Senator from Alabama. It is likely that we will be able to vote on this tomorrow, rather than today. There are other amendments that we know will be offered today and debated. We can dispose of those amendments.

Because we have had a pretty full discussion of this suggested change in the bill, I am going to ask unanimous consent that we set aside this amendment and proceed to take another amendment up for consideration that the Senator from Colorado will offer. So I make that unanimous consent request to set aside the amendment temporarily.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. BROWN addressed the Chair.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. BROWN. Mr. President, I rise to add to the record with regard to the debate on the peanut amendment. I would ask, while that amendment is not presently before us, that I be allowed 60 seconds in which to address the peanut amendment.

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

Mr. BROWN. Mr. President, in the discussion on the peanut amendment, the question was raised as to whether or not this, asking users or beneficiaries of a program to pay the administrative costs, was appropriate or not and whether or not it was done in other areas, and myself and others had speculated about the social security fund. I am advised that indeed, the administrative costs for the Social Security program do indeed come from the fund. I think some of the confusion may come in that the discretionary spending is considered part of funding that comes under the discretionary caps for the budget function. But indeed, the source of the money is from the fund itself.

I yield back, Mr. President.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BROWN. Mr. President, I ask unanimous consent that the quorum call be rescinded.

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

AMENDMENT NO. 2689 TO COMMITTEE AMENDMENT ON PAGE 83, LINE 4, THROUGH PAGE 84, LINE 2

(Purpose: To prohibit the use of appropriated funds to administer tobacco grading and inspection, tobacco price support, quota, and allotment functions)

Mr. BROWN. Mr. President, I rise to offer an amendment to the committee amendment and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Colorado [Mr. BROWN] proposes an amendment numbered 2689 to the committee amendment beginning on page 83, line 4.

At the appropriate place in the amendment, insert the following:

**SEC. . PRICE SUPPORT AND GRADING AND INSPECTION OF TOBACCO.**

(a) IN GENERAL.—None of the funds made available under this Act may be used to pay the salaries or expenses of the employees of the Department of Agriculture to grade or inspect tobacco or to administer price support functions for tobacco.

(b) ASSESSMENT.—The Secretary of Agriculture may charge producers a marketing assessment to grade or inspect tobacco and to administer the price support functions under the same terms and conditions as are prescribed in the Agricultural Act of 1949 (7 U.S.C. 1445-1 and 1445-2).

Mr. BROWN. Mr. President, this amendment calls for the tobacco program to be no net cost to the American taxpayer. Some Members will say, "I thought it was already a no net cost."

Indeed, there was legislation offered in 1982 that came under the heading of "no net cost" for the tobacco program. And yet, Mr. President, some Members may be surprised to learn that did not cover all of the costs of the program. That no-net-cost concept is a good one and one that this amendment attempts to complete.

But left out of the legislation in 1982 was an effort to cover the administrative cost that involves maintaining the price support and both the grading and inspection of tobacco. So administration of the program, grading and inspecting of tobacco, are still an expense to the taxpayers.

Mr. President, it is one thing to be upset about tobacco smoking in this country and urge people not to use the product or suggest that perhaps the FDA ought to regulate it and extend additional regulations. But, Mr. President, it is quite another thing to tax the American citizen to pay for a product that we turn around and then urge them not to use. Good common sense indicates that we should not subsidize a product that we think is harmful to people and that they should not use. I am one who believes that this country is all about freedom, and to the maximum extent possible, we ought to maximize people's freedom to choose.

So I have not been one that wants to outlaw all forms of tobacco or follow other circuitous routes that simply eliminate that choice. I think all Americans agree that our children should not consume tobacco products. But for adults, while we would all have strong feelings about the subject and many of us feel that we would be better off without tobacco, I am not one who wants to ban it. But, Mr. President, I am one who wants to have the tobacco producers pay for the cost of their own program.

It makes no sense to tax working men and women of this country to subsidize a product and then turn around and tax them to urge people not to use a product they have just subsidized.

That makes no sense at all. That is what this amendment is all about. It simply says that when tobacco producers say they have a no-net-cost program, that it is in fact a no-net-cost program.

So this amendment does two things. One, it makes it clear that there will be no taxpayers' funds appropriated in this bill that will be used to pay the salaries and expenses of Department of Agriculture employees to grade or inspect tobacco or to administer the price support functions for tobacco.

Second, Mr. President, it makes it very clear that the Secretary has the ability to assess producers a marketing assessment for these functions. So it gives the Secretary a way to carry out these functions, but at the expense of the producers, not at the expense of the taxpayers.

Mr. President, some will note that the Secretary already has the ability to levy an assessment for this program. Indeed, the Secretary does. I added that assessment section so there could be no doubt that there would be no question but that the Secretary could levy it for this purpose. I think it is arguable one way or another that he already has the authority to levy this assessment. But it seemed to me clarity was a virtue in this circumstance. So we go the extra mile to make sure it is clear that he has the ability to raise funds for this purpose.

But, Mr. President, the American men and women who pay our taxes cannot understand why in the world we would have Government functions that work to opposite purposes, why in the world we would subsidize a product which our Government turns around and tells us is hazardous to their health and urges people, at taxpayers' expense, not to consume it.

This amendment, I think, adds consistency to our functions. It adds some consistency in the way we spend taxpayers' money.

Mr. President, it is my impression this will be a controversial amendment; that there will be other Members who wish to voice their concerns and objections about it. I hope there may be others who may want to say a good word or two on its behalf. So I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. COCHRAN. Mr. President, if the Senator has completed his statement.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, I am confident there are Senators who wish to be heard on this amendment before we vote on it. I am also sure that it is probable that this vote will be postponed until tomorrow. But I hope that those who do want to speak on the amendment will come to the floor and do that so we can complete our debate on the amendment and leave to tomor-

row the vote on the amendment, if that is the will of the Senate.

There have been, of course, in the past, amendments similar to this that have been before the body, so it is not a new issue. We have debated this from time to time. I am confident that there are arguments that can be made on the other side and will be by Senators who are experts in this program.

From the point of view of the managers of the bill, though, I would say that this is another example of an effort to modify with legislative language, in effect, programs that are now under consideration and review by the Agriculture Committee. We have this week a markup scheduled on commodity program changes that are designed to meet the challenge of the budget reconciliation and resolution that was adopted by the Congress to reduce the cost of the programs under the jurisdiction of all the legislative committees.

This is under the jurisdiction of the Agriculture Committee, and it may very well be that changes are going to be directed or recommended by the Agriculture Committee in this program. I do not know the extent to which this amendment, if it is adopted, will affect those comprehensive changes that may be recommended by the Agriculture Committee.

When we were talking about the peanut amendment that the distinguished Senator had offered, I mentioned that I had included the peanut program in a proposal that I have submitted to the committee which is designed to reform that program and reduce the costs of the program over time. I know that if we adopt the peanut amendment as proposed by the Senator from Colorado, it would reduce the savings that are now estimated by CBO to be attributable to the farm bill I am proposing.

There may be other Senators who have suggestions to make in the Agriculture Committee about the tobacco program. I do not know the extent to which this amendment would affect those projected savings. But I do know that there will be some effect, and the question before the Senate is whether we ought to adopt amendments such as this, knowing that they are going to be legislative in nature and will encroach on the jurisdiction of the Agriculture Committee. So I voice that concern as a concern that applies not only to this amendment but other amendments like it.

I discourage Senators who do have changes in legislative language and suggest that it would be more appropriate and in better keeping with the way we should do business here in the Senate to bring those up when the legislative committees' bills are on the floor—or bring them up in the committees of jurisdiction, even better, so those committees can review these suggestions.

I respect very much the Senator from Colorado. He is one of the best minds in



the Senate. He is a Senator who has always been on the lookout for ways to improve the efficiency of Government programs and reduce unnecessary costs. He is a leader in achieving results. Again, he is showing his ability to carefully analyze Federal programs and look for ways that we can improve them in terms of their efficiency. The savings of taxpayers' dollars that will result from the changes are quite obvious. This is another example which shows his diligence and his ability in this regard. So I commend him for his continued efforts to do what he is trying to do. I applaud that effort.

Having said that, I hope that if Senators do want to comment on the legislation and the proposed amendment, they will come to the floor to do so, and I will put in a quorum call to ascertain whether we do have Senators who want to speak further on this amendment at this time.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. LEAHY. Mr. President, I understand there is nobody at the moment waiting to bring up any amendments so I ask unanimous consent that I be able to proceed as in morning business.

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

#### TRIBUTE TO CAL RIPKEN, JR.

Mr. LEAHY. Mr. President, a couple weeks ago, like many others, I had the opportunity to be in Camden Yards to see a most extraordinary baseball game when Cal Ripken broke Lou Gehrig's record. I remember as a child thinking that the Gehrig record might never be reached, never be broken.

For me, the fact that I could be there with my son, Kevin, to watch that game, was really one of the highlights of this or any other year.

In watching, I could not help but think that Cal Ripken reflected the best of all people who get up and go to work every day in all fields. Whether it is the nurse who is there for the evening shift on a weekend, the person who shows up at the police department and goes to work to protect all of us, the teacher who is there teaching our children, the men and women of the Senate staff who are here—sometimes long after we Senators are able to go home—every day working for the best of our country, and on and on.

In this case I also think credit should be given to Peter Angelos and those who own the Orioles. Earlier this year when there was talk of replacement teams, they stood fast and said there would be no replacement team for the Orioles. Nothing would be done to cut into Cal Ripken's record. Indeed, they did not.

I also think that two things came as a result of that. One, it sent a signal to baseball that there are some owners and some players who care more for the game than care for the disgraceful dance that has gone on the past year, the dance of charges and countercharges and strikes and lockouts that resulted in the cancellation last year of the World Series.

Second, by doing that, I believe it helped bring to an end the strike and it also gave baseball an evening of glory that it has not had for so long. It really did not become a question of whether the Orioles won or lost that night. It turned out they did win with Cal Ripken hitting a home run. It was a chance for people to unite around this country and say there are so many good things in baseball, and to go back to the basics of it. I hope Cal Ripken's accomplishment does help.

As Kevin and I sat there, we watched the different people—Joe DiMaggio sitting a few feet from us, the President, the Vice President, and others just to the other side of us, but what united us was not the well-known people but that baseball fans of all sort throughout that field and throughout the country could share in a magnificent achievement.

#### VERMONT'S FINEST, SOFTBALL CHAMPIONS

Mr. LEAHY. Mr. President, I recently had a chance to watch some of the best softball I have ever seen.

I saw the Vermonters, who make up my own team, play in the semifinals and then the finals and then win the softball championship.

I was out there Saturday in 95-degree heat, blistering sun, and I watched these young men and women from my office's team and I thought: That is real sportsmanship.

Then, the next day the final championship was fought between Vermont and New Hampshire.

In a league with 120 teams, the idea that the Senate softball championship this year came down to teams from New Hampshire and Vermont is ironic.

You have to understand we are both northern New England States, and the baseball season is rather short in northern New England. Our children grew up with hockey sticks and skates and skis—and have to squeeze their baseball in between those light May snow showers and the September autumn chill that stings the hands of all children who make contact with ball and bat.

But there we were.

The Thundering Herd, the talented granite-like team of Senator BOB SMITH's office had not been beaten all year. But neither had Vermont's Finest. Vermont's Finest, we say with no hint of modesty, is the name of our softball team.

The game went back and forth, only to be tied at the end of seven innings. Vermont scored two runs in the top of

the eighth and shut the Herd down to seal the victory and the championship.

We were led by Montpelier's Maggie Whitney, who played second base but should be turning double plays with Cal Ripken, Jr. St. Albans' Jamie Horan has a black eye and a 500-foot home run to show for the series. Beebe Plain's Mike Lawson won rookie of the year honors while representing the smallest town in Vermont with glove and lumber.

And the list of contributors is endless. Big Ed Pagano, our oak tree at first; Tom "Stonewall" Cosgrove, anchoring third on a nearly broken ankle—an ankle, incidentally, we heard snap as he hit home plate. He would not allow it to break until he scored that run. Paul "The Enforcer" Johnson, who with aging star J.P. Dowd provided key hitting and veteran leadership. Norwich's Regen O'Malley and UVM grad Kara Calaca-Mottola were anchors behind the plate. And our own tank commander, that stalwart marine, Bill Delaney, had more than a few key hits.

Rookies David East and Narric Rome were vital to the team effort.

Vivian Cocca pitched as gutsy a series of games as we have seen in years.

Special honors have to go to our player-coach Brady Burgess, the solid, taciturn hunk of granite, a native of Lincoln, VT, who grew up dreaming of one day holding the Senate trophy aloft. I am sure this is a dream he had as a 3-year-old. He batted, fielded, and led his team to an impossible series of victories.

The loyal bench jockeys were Brattleboro's Jenny Backus, the purple-shorted Kevin "Scooter" McDonald, and the pride of St. Johnsbury, Zima-drinking Amy Rainone.

And the whole team was aided by their biggest fan and 5-year-old bat-boy, Walter Albee, who occasionally let his aging baby boomer, semi-yuppie father play.

We have to tip our caps to a few teams. First, our friendly rivals the Vermont Saps, from my good friend JIM JEFFORDS' office, who had what we call a "rebuilding year" this year but will no doubt be in the playoffs next year as they have been.

Second, our tough but honorable rivals from the MCCAIN-McCONNELL team. It seems one of us is always knocking off the other to get to the mountain top.

Third, our friends on Senator MIKULSKI's team. In the past 5 years, we have each won the championship twice and will be glad to be keeping it in the family.

Finally, to the Thundering Herd from New Hampshire—that the two New England teams made it to the top of the heap is a testament to traditional Yankee values of team play, strength, and hard work. I say to my friends from New Hampshire, they will be first in the Nation when Dixville Notch goes to the polls at midnight. You almost made it first in the Nation in softball,