

FLOOR PROCEDURE IN THE 104TH CONGRESS 1ST SESSION; COMPILED BY THE RULES COMMITTEE DEMOCRATS—Continued

Bill No.	Title	Resolution No.	Process used for floor consideration	Amendments in order
H.R. 3517	Military Construction Appropriations FY 1997	H. Res. 442	Open	N/A
H.R. 3540	Foreign Operations Appropriations FY 1997	H. Res. 445	Open	N/A
H.R. 3562	The Wisconsin Works Waiver Approval Act	H. Res. 446	Restrictive	N/A
H.R. 2754	Shipbuilding Trade Agreement Act	H. Res. 448	Restrictive	1R
H.R. 3603	Agriculture Appropriations FY 1997	H. Res. 451	Open	N/A

\* Contract Bills, 67% restrictive; 33% open. \*\* All legislation 1st Session, 53% restrictive; 47% open. \*\*\* All legislation 2d Session, 65% restrictive; 35% open. \*\*\*\* All legislation 104th Congress, 57% restrictive; 43% open. \*\*\*\*\* Restrictive rules are those which limit the number of amendments which can be offered, and include so-called modified open and modified closed rules as well as completely closed rules and rules providing for consideration in the House as opposed to the Committee of the Whole. This definition of restrictive rule is taken from the Republican chart of resolutions reported from the Rules Committee in the 103d Congress. N/A means not available.

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. SKEEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 3603 and that I may include tabular and extraneous material.

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

There was no objection.

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

The SPEAKER pro tempore (Mr. HEFLEY). Pursuant to House Resolution 451 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 3603.

The Chair designates the gentleman from Virginia [Mr. GOODLATTE] as Chairman of the Committee of the Whole, and requests the gentleman from Georgia [Mr. LINDER] to assume the chair temporarily.

□ 1603

#### IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 3603) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1997, and for other purposes with Mr. LINDER (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

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

Under the rule, the gentleman from New Mexico [Mr. SKEEN] and the gentleman from Illinois [Mr. DURBIN] will each be recognized for 30 minutes.

The Chair recognizes the gentleman from New Mexico [Mr. SKEEN]

Mr. SKEEN. Mr. Chairman, I am pleased to bring before the House today

H.R. 3603, a bill making appropriations for fiscal year 1997 for Agriculture, Rural Development, Food and Drug Administration and Related Agencies.

This bill is the product of 15 days of hearings conducted in March and April. We have published seven volumes of hearing records totaling 5,775 pages, with all the budget presentations and the full testimony of 304 witnesses including 19 Members of Congress.

Mr. Chairman, the bill was voted out of the subcommittee unanimously on May 30 and from the full committee on June 6. It was filed on June 7 and the copies of the bill, as amended, and the report have been available since Monday morning.

Our original allocation required us to cut nearly \$1 billion in budget authority from \$13 billion in discretionary spending, a nearly impossible task. However, our allocation situation improved considerably up to the day of the full committee markup, making our situation still difficult but much better than the original one, and for that I want to thank the gentleman from Louisiana, Chairman LIVINGSTON, for his help and his understanding of our situation.

Mr. Chairman, I would like to make clear for the benefit of all my colleagues, because we had several inquiries today, that the extra allocation mentioned in the press this morning is already factored in our bill. No extra allocation was given to this subcommittee that was not already factored into the full committee markup last week.

The bill totals \$52.7 billion in budget authority, which is \$10.4 billion less than fiscal year 1996, and \$5.8 billion less than the administration requested. The mandatory spending total in the bill is \$39.9 billion and the discretionary is \$12.8 billion.

This bill meets our targets for both budget authority and outlays. In discretionary spending the bill reduces the budget authority by \$509 million and outlays by \$228 million from fiscal year 1996.

Our priorities for funding this year, I think, are shared by most Members of the House, regardless of party. They are nutrition, food safety, research, rural development and the maintenance of programs that keep American agriculture strong and progressive.

Like all the appropriations subcommittees, we were severely hampered by the very late arrival of the Administration's budget, and complicating our task was the fact that the Administration budget proposal did not

reflect the reality of the recently passed farm bill.

Mr. Chairman, I would like now to summarize some of the major spending and saving elements of the bill.

The reorganizing and streamlining of the Department of Agriculture, which began in the Bush administration, continues. Some 43 agencies have been reduced to 29, and the work force has been reduced by 10,000 staff years since 1993. Our bill reduced Farm Service Agency salaries by more than \$48 million from fiscal year 1996.

Nearly two-thirds of the USDA budget is spent on nutrition and feeding programs, mainly mandatory programs such as food stamps and school lunch. WIC—the Women, Infants and Children feeding program—is a discretionary account but it may be the most important one we have in our jurisdiction. WIC is maintained at last year's funding level but with a substantial carryover. Some of this carryover may be directed to other critical programs at the discretion of the Secretary of Agriculture.

Child nutrition programs, including school lunch, school breakfast, and the child and adult food programs are funded at \$8.7 billion.

Spending on rural development has been reduced by more than \$258 million from fiscal year 1996 but we have consolidated programs and given the administration the flexibility it requested to better meet the requirements of each individual State.

Before I conclude, Mr. Chairman, I must say I read with considerable disappointment statements in the press attributed to Secretary Glickman regarding funding levels for rural development. When I met with the Secretary about a month ago to discuss the Fund for Rural America, he was not able to indicate what plans the administrations had for this new \$100 million program, even though he personally lobbied for its inclusion in the Farm Bill 3 months earlier. The administration also continues to ignore the serious problem for loan programs caused by the rise of interest rates.

Furthermore, the subcommittee was told back in February that an additional \$36 million would be transferred from WIC carryover funds into rural and water and sewer programs, which the administration claims he is a very high priority with them. This authority was given to USDA in the fiscal year 1996 appropriations bill and, as of last week, those funds have still not been transferred.

I would strongly suggest to the Secretary, with the best of intention, that

the best use of time and resources at USDA is in planning and executing actual projects that benefit rural America and not in the issuing of vague press releases and endless bureaucratic turf battles.

Mr. Chairman, I would like to thank all the members of the subcommittee and their staffs for their help on this bill, and they have all made substantial contributions. To my Republican friends, the gentleman from Indiana, JOHN MYERS, the gentleman from New York, JIM WALSH, the gentleman from Arkansas, JAY DICKEY, the gentleman from Georgia, JACK KINGSTON, the gentleman from California, FRANK RIGGS, the gentleman from Washington, GEORGE NETHERCUTT, and the gentleman from Louisiana, our full committee chairman, BOB LIVINGSTON. And to my Democratic friends, the gentleman from Wisconsin, DAVE OBEY, the distinguished ranking member of the committee, the gentleman from Illinois, DICK DURBIN, who is ranking on the subcommittee, the gentlewoman from Ohio, MARCY KAPTUR, the gentleman from Arkansas, RAY THORNTON, the gentlewoman from New York, NITA LOWEY, and the gentleman from California, VIC FAZIO. I would also like to commend the staff, headed by Mr. Tim Sanders, with Carol Murphy and John Ziolkowski, and also the USDA detailee, Martin Delgado, and my own personal member of that committee, Mr. Jaime Castillo.

Mr. Chairman and Members of the House, this bill supports programs that benefit every one of your constituents every day. It has nutrition programs for the young and the elderly, conservation programs that not only protect farmland but protect the watersheds that provide drinking water to our cities, food safety inspection, drug and medical device programs for every American consumer, and trade and rural development programs that support millions of jobs in rural and urban areas.

We have met our balanced budget obligations and we have done our best to meet the needs of food and fiber producers, consumers, public health and safety in rural America. It is a bipartisan bill to which Member on both sides of the aisle have made a contribution.

Mr. Chairman, last year we were given strong bipartisan support for the bill as passed by the House and the conference report. As a result, the bill was signed into law quickly after passage, and not one day, I repeat, not one day was lost in providing your constituents with the important programs in this bill. There was no shutdown in agriculture.

This bill deserves that same kind of support and treatment again this year, and I respectfully ask for my colleagues' help and their vote on final passage.

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

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

and I want to thank the gentleman for recognizing me to claim the other side's opening time.

I would like to salute first my colleague from New Mexico for a fine job under very difficult circumstances.

Mr. Chairman, we all know we are serious about budget deficit reduction, and as we have learned many years ago in the Committee on Appropriations, we deal in the reality of limited funds and unlimited needs. Our subcommittee, like so many others, has tried to fairly balance those two opposing situations. I think we have done a good job, although I will say there are some parts of it that I would like to have seen us do a little better job on.

Most people, when they hear the budget for the U.S. Department of Agriculture, think in terms of farmers and ranchers and do not think about the other major responsibilities of the department.

The gentleman from New Mexico [Mr. SKEEN] properly noted the responsibility of this department in the area of nutrition. One of the programs that I have focused on in my tenure in the House of Representatives, serving on the subcommittee, is the WIC Program, the supplemental feeding program for women infants and children. It is a program which is designed to help low-income mothers during their pregnancy and, after they have given birth, to raise healthy children.

I happen to think it is one of the single most important investments that U.S. taxpayers make. This program literally reaches and helps 40 percent, 40 percent of the infants in America. We are talking about a program that is essential to make certain that babies are born strong, healthy, with a fighting chance to become productive citizens.

This program, through the U.S. Department of Agriculture, is a Godsend in many parts of America where, otherwise, pregnant mothers would go without this assistance, counseling, and nutritional advice, and the basic foodstuffs that feed them during their pregnancies. And children, of course, new to the world, in those formative months, need the very best. This program was worked to make sure this happens.

Mr. Chairman, I am happy my colleague from New Mexico shares my dedication to this program. It should be bipartisan. It is a bipartisan program. I think our goal is to reach some 7.6 million, I am not certain of the exact figures as I stand here, by the end of this next fiscal year. And I hope we can do that in a bipartisan fashion.

We are hopeful that what we have done in this bill will provide the necessary funds for WIC to meet its goal of enrollment. I think the subcommittee has spoken informally, and we should put on the record here our commitment to return, if necessary, and ask for additional funds, if needed, to make sure the WIC Program is not underfunded. I hope that it is not.

I believe we have taken care of them, and if that is not the case, then I think

there is a general feeling that we must return and make sure that is done.

Mr. Chairman, let me speak about several other items in the bill that I think are important.

□ 1615

Agriculture research is often overlooked by people. We have colleagues of ours on the floor of the House who like to stand at these microphones and giggle about the names of some of these ag research projects. The Pink Bull Work project, they giggle. The Boll Weevil Eradication project. The Screw Worm project, and their sides are bursting as they laugh about the names of these projects.

Little do they know that the critical research that is being done in these areas is absolutely essential, not only for the farmers and ranchers involved, but for consumers and environmentalists. Our efforts to eradicate pests that attack cotton in America are essential because that is one of the crops that uses so many ag chemicals. As we find ways to reduce the pests assaulting cotton, we reduce the need for the use of ag chemicals and potential danger from runoff.

So I hope that some of my friends, particularly from the city, who like to get a good belly laugh over some of these ag research programs would be honest enough to take the time, as I have, to understand how important these programs are.

Mr. Chairman, I am sorry that we have had to cut back on ag research. It is an area where we should be spending our money and our investment.

I have to commend the chairman for the \$30 million additional in the Food Safety and Inspection Service. Each of us in America takes for granted the safety of meat and poultry and fish and food products that we buy at the grocery store. If we travel to a Third World country, we not only worry about the purity of the drinking water and the safety, but also the safety of the food that is being served to us. Has it been cooked long enough to be safe to eat?

That is usually not a concern in the United States because we have a good Food Safety and Inspection Service. We are in the process of making it dramatically better by moving to new technological ways to measure the danger to consumers and to go after them. This investment of \$30 million will help us reach that goal so that the hundreds and sometimes thousands of Americans who suffer from food contamination each year will be protected.

The cutback in funds for soil and water conservation is hurtful, and I hope that we can revisit this at some time in the future to restore some of these funds. It is an essential part of any effort to keep the environment clean, and I can tell my colleagues that our friends who live in rural areas are anxious to be part of that partnership.

These are families that live on farms and drink the water out of wells a few

hundred feet away from the crops that are being planted. They want their water safe in the wells around the farms and they do not want the runoff to endanger the drinking water of any other American.

I also want to say that the rural development funds are down in amount, up in flexibility. We are going to find out whether that works; if we give the department more flexibility in rural development, whether it is in water or sewer development, whether that can overcome a cutback in some funding. When it comes time for budget deficit reduction we often have to make that kind of a choice.

This is a good bill. There are parts of it that I disagree with. That is not unusual. There were parts that I disagreed with when I was Chair of this subcommittee. But we have to bring a bill to the floor that is an honest compromise to achieve the purpose of this subcommittee and this appropriation. My colleague from New Mexico has done that. I salute him for it. Though we may disagree from time to time on the floor, our friendship and collegiality are never in jeopardy and it will not be in the course of this debate.

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

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

Mr. Chairman, I thank my friend, the gentleman from Illinois [Mr. DURBIN], who is leaving this body to go to the never-never land of the endless quorums. I want to say that we certainly have had a great relationship. This is what this is all about. Notwithstanding party differences, that has been a small item.

Mr. Chairman, it has been a delight to work with the gentleman when he was chairman. The gentleman gave me the model of what a chairman should really do and be like, and I appreciate that very much.

It is sweet just to be able to return a favor in kind. I want to wish the gentleman well, up to a point. We are not going to measure that point at all. Mr. Chairman, he is a great gentleman, DICK DURBIN, and it was a great pleasure to serve with him.

Mr. Chairman, I yield 2 minutes to the gentleman from Indiana [Mr. MYERS].

Mr. MYERS of Indiana. Mr. Chairman, I thank the chairman for yielding me this time. I, too, rise in support of this legislation, this appropriation.

Mr. Chairman, as has been said already, I guess the best that can be said is that it is adequate. It is not the appropriation many of us would like to see if we had a free hand in spending the taxpayers' money. Maybe it is a good thing we do not have that free hand.

One area that I think we are making a mistake, and the gentleman from Illinois [Mr. DURBIN] mentioned this, is ag research. Farmers today, this year if they were financially able to carry

their crops and their grain into later this year, made a profit. But they have been able to make a profit because we have been able to research to increase yields with less costly production, and we have been finding more uses for agricultural products through research.

So, Mr. Chairman, this is one area that I think we are making a mistake, and it is not the fault of this subcommittee but it is the fault of the system, that we ought to be making more money available for research because that is what is going to keep the American farmer in production, keep the American farmer on the farm and, most importantly, will keep them competitive in the world.

Much of the world today would like to buy foods. Many of the countries that need it worst do not have the money to buy from the United States. We have the capacity, thank goodness, in this country to produce more than we use.

So if we can continue the research to be competitive in the world, giving farmers the tools that they can produce a crop cheaper and therefore be able to sell it cheaper and still stay in business, this is what we should be doing. This appropriation unfortunately, through no fault of this subcommittee, does not do as good a job in research as we would like to do.

Mr. Chairman, I thank the gentleman from New Mexico [Mr. SKEEN] for the time, and I thank the staff and everyone who has worked so hard for this bill.

Mr. DURBIN. Mr. Chairman, I yield 7 minutes to the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Chairman, the first thing I would like to do is to say something about the gentleman from Illinois [Mr. DURBIN], who as Members know is serving his last year in this House because he has had the bad judgment to decide he wanted to run for the U.S. Senate.

Mr. Chairman, I think that it is fair to say that if people put together any list of the 10 Members of Congress who they would describe as being the most honest and the most passionate in terms of defending the public interest, the gentleman from Illinois [Mr. DURBIN] would be on it.

There is no question that any time he comes to the floor he knows his subject. He is speaking because of what he believes, and he always does it with grace and with honor, and I think has represented the finest traditions of the history of this House. He is as close to a perfect definition of being a true public servant as any human can possibly be.

We are going to miss him greatly. We are going to miss his talent. We are going to miss his sense of fairness. We are going to miss his sense of judgment and his insistence on always putting the public interest first.

That does not mean I have always agreed with him. I have not. But he has been a tremendous addition to this

committee and this House. He is a worthy and will be a worthy successor to PAUL SIMON. He is in that tradition of clean as well as effective government, and he continues that proud tradition that Senator Paul Douglas established so many years ago. He was Mr. Integrity. Senator Douglas was also a man who understood as much about the way this economy works as almost anybody in the history of this Congress.

I think the people of Illinois and the people of America will be served by Mr. DURBIN's service in the other body, should the people of Illinois be wise enough to elect him to the U.S. Senate, and I am confident they will.

I would also like to take a moment to talk about this bill. It is being brought to the floor by a chairman, the gentleman from New Mexico [Mr. SKEEN], who everyone understands is a legislator's legislator. He always finds a way to try to work out problems in a fair-minded and intelligent way, and he has performed in fine, bipartisan tradition, and I respect that very much. I enjoy the opportunity to serve in the same Congress with the gentleman.

Mr. Chairman, I would like to make just a couple of comments about the bill itself. Coming from a rural district, I regret the fact that the committee could not find a way to provide more support for rural sewer and water. Members have to come from a rural district to understand how important programs like that are.

I have many communities in my district that are 200, 300, 400 people; not exactly the large metropolitan areas of this world. I have many, many communities, the majority of households from those communities are headed either by women or someone who is retired. Communities like that do not have the income base, they do not have the property tax base to meet the environmental cleanup needs that face so many of those communities.

They really need much more help than they are getting from both their State governments and the Federal Government, and I think that we have an obligation to try to find ways to provide more help to them because they are, in essence, when they are faced with environmental cleanup requirements, they are faced with the responsibility to clean up problems that somebody from yesterday left those communities.

I hope that as this bill moves through the process, we will find ways to help those communities more.

Second, I have to say a word about something that is not in this bill. The last farm bill that went through this House, the authorizing bill, contained a provision which allows a few States in the northeast section of the country to set up what I would define as a dairy cartel. Under that proposal, the northeastern States can band together. They can, in effect, establish tariffs on dairy products that are produced outside of the northeast region and sold in that region of the country.

That cartel could also be used to artificially subsidize dairy products that are exported from that region of the country into other regions of the country. I do not believe that that is fair to my farmers. I do not think it is fair to farmers in any other section of the country.

When we add that to the already egregious and incredibly unfair milk marketing order system which will pay farmers from one region of the country \$2 and \$3 per hundred pounds of milk more than they will pay them if they come from my region of the country, I think that that is just another example of how the Federal Government has screwed up national dairy policy.

Mr. Chairman, I would like to offer an amendment which eliminates that provision, but I think, frankly, there is no point in doing that, given the way things have been brought about in this Congress on that provision. But I would certainly hope that the administration itself does not allow that northeast dairy cartel to come into being, and if they proceed to try to do it, I would hope that in the courts it would be declared unconstitutional.

I wish that there were a way to effectively get at that in this bill. I have been thinking about offering an amendment, but I recognize reality, and I think we will have to rely on the administration and the courts to do what needs to be done to provide fairness and justice for farmers in all regions of the country.

With that, Mr. Chairman, I again congratulate the gentleman from Illinois and wish him well in the election, and I thank the gentleman from New Mexico [Mr. SKEEN], chairman of the subcommittee, as well.

Mr. DURBIN. Mr. Chairman, I thank the gentleman for his kind remarks.

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

Mr. Chairman, I say once again that I thank the gentleman from Wisconsin [Mr. OBEY] for the kind words. He can be a meddlesome individual at times; he has been anything but that. It is a pleasure working with him and I admire his style and his tenacity. I just do not admire some of the things that he says. That is a fair given. But the gentleman from Wisconsin is a great gentleman and I appreciate it.

Mr. Chairman, I yield 4 minutes to the gentleman from New York [Mr. WALSH].

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

Mr. WALSH. Mr. Chairman, I rise today in strong support of our bill, H.R. 3603, and its accompanying report that provides funding for agriculture, rural development, Food and Drug Administration and related agencies.

□ 1630

I commend the distinguished chairman, the gentleman from New Mexico [Mr. SKEEN], and the ranking member, the gentleman from Illinois [Mr. DUR-

BIN]. I tell both of them that I enjoyed very much working with them and the cooperation that they have shown me throughout this process and to all of us.

I would also like to thank the subcommittee staff for the great work that they did.

In this bill we have had to make very difficult choices. The subcommittee had to reduce discretionary spending by over \$500 million, causing painful reductions in rural housing and development programs. Nevertheless, we have continued to provide sufficient funding for critical agricultural research. In fact, we increased it by \$47 million, and the total amount for ag research is \$1.5 billion.

Spending on agriculture research enables the American farmer to deliver an abundant and affordable food supply to a largely urban population and to a hungry world and provides for a large portion of the American trade surplus.

I am also glad to report that this bill provides critical funding for conservation programs. Conserving, improving, and sustaining our natural resources and environment has to be one of our Nation's top priorities. Agriculture today is facing greater challenges than ever before in meeting public demands for environmental protection. Agriculture has been identified as a major contributor to nonpoint source water pollution. In fact, water quality is the most rapidly emerging issue impacting on agriculture today.

This appropriations bill provides the Soil Conservation Service with the necessary resources to provide planning and technical assistance for watershed projects and to help farmers implement conservation compliance plans on highly erodible lands. With many of our Nation's rivers and lakes being threatened by agricultural related nonpoint source pollution, we need to utilize best management practices to conserve our soil and water resources. These practices would include soil erosion control, animal waste management, plant nutrient management, the building of manure lagoons and pesticide and chemical management. The benefits from this conservation planning will result in reduced erosion and sedimentation, cleaner water, reduction of health hazards, improved fish and wildlife habitat, and protection of wetlands and flood prevention.

In this bill we are also able to expand the wetlands reserve by providing an additional 130,000 acres of wetlands. Last year the committee was not able to provide any funding for this program. While I would have liked to have seen more lands set aside for wetlands protection, this committee has added eight new States to the Wetlands Reserve Program and enrolled 130,000 additional acres so that we can better preserve and protect our precious wetlands.

This bill was a real challenge in terms of our priorities, but we strongly funded our nutrition programs. We in-

creased funding for the School Lunch Program, the School Breakfast Program, the Child and Adult Program, Food Program, the Food Stamp Program, the Emergency Food Assistance Program; all of these programs were increased in funding.

There was a lot of political hay made last year about cut, cut, cut, cut, cut, but a lot of untruths were being told at the time. All of the nutrition programs in fact are increasing. WIC was held constant, however. There was a large surplus carried over from last year that will help to fund the program. We are committed to the nutrition of this Nation and to providing everyone who is in difficulty with the proper nutrition that we can and should provide.

Mr. Chairman, I strongly, again, appreciate your hard work on this and the ranking member and urge its adoption.

Mr. DURBIN. Mr. Chairman, I yield 2 minutes to the gentlewoman from Florida [Mrs. THURMAN].

Mrs. THURMAN. Mr. Chairman, I should say that I echo all of those wonderful remarks that have been made both for the gentleman from New Mexico [Mr. SKEEN], and for the gentleman from Illinois [Mr. DURBIN]. So I will not take my 2 minutes, but you know that they are well meant.

What I do want to bring up though is that the issue of research and research has become a very important part of the agriculture industry, not only for things to provide a safer and better food product for our country and our citizens but also to help control some diseases that can potentially have some very adverse effects on very important products that are grown within our States.

In this particular issue, the State of Florida, with oranges, last fall the USDA had identified a brown citrus aphid infestation in some parts of Florida. This actually is something that transmits CTV which can pose a very formidable threat to our industry. It actually has not only and will not only hit Florida, but it also has an opportunity to go into Arizona, California, and Texas. Most of this is commercial but some of this is backyards.

What we are asking is that we look at some of these areas in the eradication of the brown citrus aphid. I think there is some money in this bill for some in California, but there is maybe not too much in Florida. So I am just raising the issue on the floor so that, as we go into conference, we might be able to look at where there has been some identifiable issues and that we might look at this as we go into conference and hopefully help Florida with their actual \$8 billion, \$9 billion industry and the economy to the State of Florida.

Mr. DURBIN. Mr. Chairman, I yield 1 minute to the gentlewoman from North Carolina [Mrs. CLAYTON].

Mrs. CLAYTON. Mr. Chairman, if I may, may I compliment both sides. I do want to compliment the fairness as

well as the tireless service that the ranking member has provided and the fairness that the chairman has provided.

I do want to raise the issue about rural development because I spoke on this floor before about rural development and on both sides we acknowledged there was a need.

As I remember, when it went to conference, we had to work it out with the Senate in order to get \$400 million. Again, you can say that is flexibility. But apparently we in the House somehow will not rise to the occasion to provide more money. We have to depend on the Senate to do that. I would hope that since it is not in the bill as much as it should be, we will do it.

One other area I am very much concerned is the lack of the appropriation at the level for minority farmers. Again, that is an area of concern. Five years ago there was considerably more commitment. Over the years we never have met that commitment. I would hope that we would find the opportunity to provide for those resources.

Mr. SKEEN. Mr. Chairman, I yield 4 minutes to the gentleman from Delaware [Mr. CASTLE].

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

Mr. Chairman, I would like to enter into a colloquy with the gentleman from New Mexico, chairman of the Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies.

After reviewing the report of the Agriculture, Rural Development, FDA, and Related Agencies appropriations bill, I am very concerned about the funding level of the 502 Rural Housing Direct Loan Program. The committee bill provides \$83 million for the 502 Direct Program. This is a reduction of \$67.8 million from the 1996 level. As the Chairman knows, the 502 Direct Program provides funds for home mortgage loans for low-income residents of rural areas who do not have adequate access to private mortgage programs or other Government housing programs.

However, to offset this reduction, the committee report states that it intends that the \$100 million made available under the Freedom to Farm Act be used for rural, housing, development and research programs beginning January 1, 1997.

Last year, the gentleman from New Mexico worked with me and other supporters of rural housing to improve the final 1996 funding level for the 502 Program. I would like the gentleman's assurance that he will continue to work with me to ensure adequate funds are made available from the fund for rural America for the 502 Home Loan Program. And, if possible, to provide additional direct funding for the 502 Program during conference with the Senate on this legislation.

Mr. Chairman, I yield to the gentleman from New Mexico [Mr. SKEEN] for his response.

Mr. SKEEN. Mr. Chairman, I thank the gentleman from Delaware who has

been one of the strongest and most consistent supporters of rural development programs. As a former Governor, he is particularly knowledgeable about their benefits.

I know that these programs are not funded at the level that the gentleman would like to see or for that matter that I and other colleagues would like to see. But the appropriations process is about hard choices and that is what we have done here in order to meet our goal of balancing the budget and funding critical programs.

I would like to point out to the gentleman that the fund for rural America will make available \$100 million on January 1, 1997 and \$200 million more in the 2 succeeding years. This money is over and above what is in the bill now. We have instructed the Secretary to use this fund as a primary backup for critical housing, water and sewer programs. I will be happy to work with the gentleman to follow up on this also.

We have provided for the transfer of excess WIC money, as we did last year, at the Secretary's discretion. Finally, I want to assure the gentleman that rural housing and our other rural development programs are among our highest priorities. If there is a possibility to find additional funding in the conference with the Senate, we will certainly give it a try.

Mr. CASTLE. Mr. Chairman, I thank the gentleman.

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

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

Mrs. CLAYTON. Mr. Chairman, I also want to join in support of the gentleman from Delaware [Mr. CASTLE] who we joined in an amendment last time on the 502 housing. In that rural America has more than just housing, it gives to the administration flexibility for housing, rural development as well as for minority farmers.

Could the gentleman affirm what the level for minority farmers and small farmers in the rural fund may be?

Mr. SKEEN. Mr. Chairman, if the gentleman will continue to yield, fund for rural America is whatever the Secretary chooses. He has that discretion within the budget to do it and the fund for rural America.

Mrs. CLAYTON. Mr. Chairman, how about the disadvantaged farmers?

Mr. SKEEN. One million in our bill.

Mrs. CLAYTON. Separate in your bill?

Mr. SKEEN. In our bill.

Mrs. CLAYTON. But they have flexibility in rural America as well?

Mr. SKEEN. Yes.

Mrs. CLAYTON. You remember there was a discussion about at least moving it up to 2 million. There was not any acceptance of that at all?

Mr. SKEEN. Well, we just could not push it through the screen that way because we had very severe shortages in funding so we had to leave it at the level we had it. I am sorry that we could not raise it to \$2 million.

Mr. DURBIN. Mr. Chairman, I yield 4 minutes to the gentlewoman from Hawaii [Mrs. MINK].

Mrs. MINK of Hawaii. Mr. Chairman, I regret I have to break the harmony of the comments on the floor, as the Chair has noted, but I must rise in great distress over a provision that has been included in this appropriation bill. That has to do with the sugar program.

In the bill that we have today, there is a section that places a cap on the raw sugarcane prices that the growers may expect to receive. I find that decision of the committee to lay on the sugar program a limit, a cap as to what the growers can expect to receive as an unconscionable interference with the market.

We have heard on the floor so many times Members belaboring the fact that we have to support open commerce, free enterprise, free trade and allow market conditions to determine the fate of our commerce, especially in the agricultural area. Yet we have before us today an amendment to the appropriations bill which is legislation on an appropriations bill, by the way, which sets a cap at 21 cents.

I have sent letters to members of the Committee on Appropriations indicating that if this cap were permitted to remain in the legislation, and I hope it does not when it goes to conference, I hope it is removed, I hope the Senate does not do the same thing, because the effect in my district will be to actually eliminate the potential for our industry because we cannot produce it at 21 cents.

Sugar, the cost of production of sugar in my district ranges around 22 cents, 23 cents. I have been informed by the cane growers on the island of Kauai that if this bill becomes law and the cap remains on the price of cane sugar, that they will be driven out of business. That is thousands of jobs in my area.

I do not believe that that is the intent of this body. We had an effort here to kill the entire sugar program not too long ago. We were able to defeat that amendment.

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So this House has spoken already, that such an effort is contrary to the best interests of this country. Yet we have this amendment which has been placed in this bill, and I am going to be forced to vote against the bill because I cannot vote against a major portion of the industry of my State.

The Department of Agriculture advises us that they will not know how to even implement this type of restriction. As far as these experts in the Department can determine, the only way that they can regulate and assure the enforceability of a 21-cent cap is to increase the imports.

So the Department says that they are unclear as to what the mechanisms for enforcing it are. They do not really know what the refiners are paying. In

some States, I understand there is a kickback or a discount on the price, and so their only ability to regulate a 21-cent price cap for the growers is through an influx of more imports in the sugar area, and that, of course, will be extremely destructive for the rest of the sugar industry in Florida, in the beet sugar areas.

So I submit that this idea comes from those who wish to destroy the industry, and they have had their chance here. They brought their amendment to destroy by eliminating the program, and they were defeated, and so this effort is simply another backdoor way of making sure that our domestic industry goes down.

So I plead with the Members of this House to remember the debate with respect to the repeal of the sugar program and vote against the passage of this bill.

Mr. BEREUTER. Mr. Chairman, this Member rises in support of H.R. 3603, the Agriculture appropriations bill for fiscal year 1997.

Mr. Chairman, this Member certainly recognizes the severe budget constraints under which the full Appropriations Committee and the Agriculture Appropriations Subcommittee operated. This Member is especially pleased that the earlier funding problems were resolved so that there will be full funding for the protection flexibility contracts authorized in the farm legislation enacted earlier this year. Clearly, this is good news for our Nation's farmers.

This Member is also grateful and pleased that this legislation includes funding for several important projects of interest to the State of Nebraska.

First, this Member is pleased that H.R. 3603 includes \$15.7 million for hazardous waste management and that the report includes language regarding the need to conduct a private water well quality assessment related to the health risks of communities in Nebraska and other States due to the use of fumigants in Commodity Credit Corporation grain storage sites.

This Member would like to take this opportunity to draw attention to a potentially serious problem facing a large number of communities throughout Nebraska and Kansas, and undoubtedly elsewhere too—and including this Member's hometown of Utica, NE. These problems resulted from the use of fumigants containing carbon tetrachloride by the USDA through stored Commodity Credit Corporation grain in Nebraska and other States, primarily from the 1940's through the early 1970's. Carbon tetrachloride contamination of the groundwater at many of these sites is a serious problem. Approximately 290 communities in Nebraska and 268 in Kansas has USDA grain bin storage sites and potentially remain at risk because the problem has not been fully investigated and addressed in many of these communities. As previously mentioned, this Member's hometown of Utica, NE, is one of the sites which is contending with contamination of its water supply as a result of a carbon tetrachloride, a carcinogen, from a grain storage facility. In addition to the contamination of public water supplies, numerous private wells are also affected. Private wells known to be contaminated have had treatment installed or have been removed from service, but far too little has been done to help identify such wells.

This Member has been actively involved in seeking solutions to this problem for a number of years. In fact, this Member worked with then-Secretary of Agriculture Clayton Yeutter to develop a hazardous waste management and response program within USDA. Sufficient Federal funding of this program is necessary to address this hazardous situation and to ensure the safety of drinking supplies of people living near, and downgradient from, old CCC grain storage sites. Although the carbon tetrachloride problems have begun to be addressed at many of these sites, the progress has been slow and somewhat random. An overall strategy needs to be developed.

To ensure that a timely and comprehensive approach is taken, this Member joins with the State of Nebraska in recommending an accelerated response in a three-phased strategy:

One, an immediate private water well quality assessment for those communities which have not yet had a complete assessment and providing emergency bottled water supplies as needed.

Two, environmental site characterization to determine sources and the extent of soil and groundwater contamination.

Three, remedial cleanup of contaminated sites and long-term groundwater monitoring.

This Member is also pleased that the bill provides \$423,000 for the Midwest Advanced Food Manufacturing Alliance. The alliance is an association of 12 leading research universities and corporate partners. Its purpose is to develop and facilitate the transfer of new food manufacturing and processing technologies.

The alliance awards grants for research projects on a peer review basis. These awards must be supported by an industry partner willing to provide matching funds. During its second year of competition, the alliance received 33 proposals requesting a total of \$1,165,033, but it was limited to funding 10 proposals for a total of \$350,000. Matching funds from industry totaled \$1,268,937, with an additional \$370,311 from in-kind funds. These figures convincingly demonstrate how successful the alliance has been in leveraging support from industry.

Mr. Chairman, the future viability and competitiveness of the U.S. agricultural industry depends on its ability to adapt to increasing worldwide demands for U.S. exports of intermediate and consumer good exports. In order to meet these changing worldwide demands, agricultural research must also adapt to provide more emphasis on adding value to our basic farm commodities. The Midwest Advanced Food Manufacturing Alliance can provide the necessary cooperative link between universities and industries for the development of competitive food manufacturing and processing technologies. This will, in turn, ensure that the U.S. agricultural industry remains competitive in an increasingly competitive global economy.

This Member is also pleased that this bill includes \$200,000 to fund a drought mitigation project at the agricultural meteorology department at the University of Nebraska-Lincoln. This level of funding will greatly assist in the further development of a national drought mitigation center. Such a center is important to Nebraska and all arid and semi-arid States. Although drought is one of the most complex and least understood of all natural disasters, no centralized source of information currently exists on drought assessment, mitigation, re-

sponse, and planning efforts. A national drought mitigation center would develop a comprehensive program designed to reduce vulnerability to drought by promoting the development and implementation of appropriate mitigation technologies.

Another important project funded by this bill is the Alliance for Food Protection, a joint project between the University of Nebraska and the University of Georgia. The mission of this alliance is to assist the development and modification of food processing and preservation technologies. This technology will help ensure that Americans continue to receive the safest and highest quality food possible.

The report also includes important language directing the Agricultural Research Service to continue to fund the perennial grass germ plasm project at the University of Nebraska-Lincoln. Unfortunately, the administration's budget deleted funding for the warm grass genetics and breeding project at the Lincoln ARS unit. However, the \$270,000 called for in the report will ensure the continuation of this productive research project which has a tremendous record of accomplishment.

Also, this Member is pleased that H.R. 3603 includes \$1.2 million for the new section 538, the rural rental multifamily housing loan guarantee program. The program provides a Federal guarantee on loans made to eligible persons by private lenders. Developers will bring 10 percent of the cost of the project to the table, and private lenders will make loans for the balance. The lenders will be given a 100-percent Federal guarantee on the loans they make. Unlike the current section 515 Direct Loan Program, where the full costs are borne by the Federal Government, the only costs to the Federal government under the 538 Guarantee Program will be for administrative costs and potential defaults.

Mr. Chairman, finally this member also appreciates the subcommittee's support for the very successful Department of Agriculture's 502 Unsubsidized Loan Guarantee Program. The program has been very effective in rural communities by guaranteeing loans made by approved lenders to eligible income households in small communities of up to 25,000 residents in nonmetropolitan areas and in rural areas. The program provides guarantees for 30-years fixed-rate mortgages for the purchase of an existing home or the construction of a new home. The loan amount may be up to 100 percent of a home's market value, with a maximum mortgage amount of \$67,500.

Mr. Chairman, in conclusion, this member supports H.R. 3603 and urges his colleagues to approve it.

Mr. BAKER of California. Mr. Chairman, statistics can be boring, eye-glazing, and mind-numbing. Yet they can also be illuminating, disturbing, and striking. When it comes to statistics concerning breast cancer, the latter category is clearly in play.

Breast cancer is the second leading cause of cancer deaths among women. In 1996 approximately 184,300 women will be diagnosed with invasive breast cancer; 44,300 women are expected to die of this disease by the end of the year. This is troubling news, and forces us to consider how best to combat this destructive illness.

At present, breast cancer cannot be prevented. However, there are steps women can take in order to detect breast cancer in its earliest stages. The easiest, most common technique is a breast self-exam [BSE], which can

make the difference between life and death. I have supported legislation to encourage breast cancer screening through making exams easily available to poor women through Medicaid, and by giving employers a tax break for costs incurred in making breast exams available to their employees.

Noninvasive breast self-exams are essential to the thousands of women seeking to combat this deadly cancer. Currently, the only technique readily available for women to perform this procedure at home is soap and water. Yet American ingenuity has once again risen to the occasion and created a new device to aid women with BSE's.

This device is called the sensor pad. It consists of two plastic sheets coated with lubricant. That's it: no involved machinery, no elaborate high-technology gadgetry, no invasion of the body. It is a method of detecting lumps that heightens sensitivity to a greater degree than soap and water.

Although the sensor pad is a promising, helpful device for women, the FDA has chosen not to make it available to all women and has approved it under a prescription-only status. This means that instead of costing a woman \$21.15 for a sensor pad, it will cost her an estimated \$70. This is outrageous.

I am an original cosponsor of H.R. 3504, the Breast Cancer Detection Act which urges the FDA to reverse its prescription only status to this pad and other breast cancer detection devices and allow the manufacturer to produce them for all women, not just women who can afford to see their doctors.

It is vital to the health of all American women to routinely perform breast self-exams. I believe that by giving all women a choice of methods, less women will die of breast cancer because they will perform BSE's and detect breast cancer in its early stages.

Clearly, inclusion of the provisions of H.R. 3504 in the fiscal year 1997 Agriculture, Rural Development, and Food and Drug Administration Appropriations Act—H.R. 3603—will provide American women with more tools to determine whether or not they have breast cancer. I am pleased that H.R. 3504 is part of H.R. 3603, and look forward to its passage into law.

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

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

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Chairman of the Committee of the Whole may postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment and may reduce to not less than 5 minutes the time for voting by electronic device on any postponed question that immediately follows another vote by electronic device without intervening business, provided that the time for

voting by electronic device on the first in any series of questions shall not be less than 15 minutes.

After the reading of the final lines of the bill, a motion that the Committee of the Whole rise and report the bill to the House with such amendments as may have been adopted shall, if offered by the majority leader or a designee, have precedence over a motion to amend.

The Clerk will read.

The Clerk read as follows:

H.R. 3603

*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, 1997, 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, \$2,836,000: *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: *Provided further*, That none of the funds appropriated or otherwise made available by this Act may be used to detail an individual from an agency funded in this Act to any Under Secretary office or Assistant Secretary office for more than 30 days: *Provided further*, That none of the funds made available by this Act may be used to enforce section 793(d) of Public Law 104-127.

##### 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 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, \$4,231,000.

##### 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, \$11,718,000.

##### 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, \$5,986,000.

##### 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, \$4,283,000: *Pro-*

*vided*, That the Chief Financial Officer shall actively market cross-servicing activities of the National Finance Center.

##### 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, \$613,000.

##### 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, and for the operation, maintenance, and repair of Agriculture buildings, \$120,548,000: *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, \$5,000,000, to remain available until expended; making a total appropriation of \$125,548,000.

##### 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 Departmental Administration, \$28,304,000, 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

##### (INCLUDING TRANSFERS OF FUNDS)

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, \$3,728,000: *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: *Provided further*, That not less than \$2,241,000 shall be transferred to agencies funded in this Act to maintain personnel at the agency level.

#### 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, \$8,138,000, 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 (INCLUDING TRANSFERS OF FUNDS)

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, \$63,028,000, 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 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 the 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, \$27,749,000.

#### 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, \$540,000.

#### 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, \$54,176,000: *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, marketing surveys, and the Census of Agriculture notwithstanding 13 U.S.C. 142(a-b), as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1621-1627) and other laws, \$100,221,000, of which up to \$17,500,000 shall be available until expended for the Census of Agriculture: *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

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 \$100,702,831,000: *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 or 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 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.

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, \$59,600,000, 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 \$163,671,000 to carry into effect the provisions of the Hatch Act (7 U.S.C. 361a-361i); \$19,882,000 for grants for cooperative forestry research (16 U.S.C. 582a-582-a7); \$26,902,000 for payments to the 1890 land-grant colleges, including Tuskegee University (7 U.S.C. 3222); \$44,235,000 for special grants for agricultural research (7 U.S.C. 450i(c)); \$11,769,000 for special grants for agricultural research on improved pest control (7 U.S.C. 450i(c)); \$96,735,000 for competitive research grants (7 U.S.C. 450i(b)); \$4,775,000 for the support of animal health and disease programs (7 U.S.C. 3195); \$650,000 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); \$3,000,000 for higher education graduate fellowships grants (7 U.S.C. 3152(b)(6)), to remain available until expended (7 U.S.C. 2209b); \$4,000,000 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); \$2,000,000 for an education grants program for Hispanic-serving Institutions (7 U.S.C. 3241); \$4,000,000 for aquaculture grants (7 U.S.C. 3322); \$8,000,000 for sustainable agriculture research and education (7 U.S.C. 5811); \$9,200,000 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 7 U.S.C. 3152(b)(4), to remain available until expended (7 U.S.C. 2209b); \$1,450,000 for payments to the 1994 Institutions pursuant to section 534(a)(1) of Public Law 103-382; and \$9,605,000 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, \$411,849,000.

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 programs of the Department of Agriculture, where not otherwise provided, \$30,449,000, 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, \$260,438,000; payments for the nutrition and family education program for low-income areas under section 3(d) of the Act, \$58,695,000; payments for the pest management program under section 3(d) of

the Act, \$10,783,000; payments for the farm safety program under section 3(d) of the Act, \$2,855,000; payments for the pesticide impact assessment program under section 3(d) of the Act, \$3,214,000; 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), \$7,549,000, to remain available until expended; payments for the rural development centers under section 3(d) of the Act, \$908,000; payments for a groundwater quality program under section 3(d) of the Act, \$10,733,000; payments for the agricultural telecommunications program, as authorized by Public Law 101-624 (7 U.S.C. 5926), \$1,167,000; payments for youth-at-risk programs under section 3(d) of the Act, \$9,554,000; payments for a food safety program under section 3(d) of the Act, \$2,365,000; payments for carrying out the provisions of the Renewable Resources Extension Act of 1978, \$3,192,000; payments for Indian reservation agents under section 3(d) of the Act, \$1,672,000; payments for sustainable agriculture programs under section 3(d) of the Act, \$3,309,000; payments for rural health and safety education as authorized by section 2390 of Public Law 101-624 (7 U.S.C. 2661 note, 2662), \$2,628,000; 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, \$24,337,000; 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. 301 note), and to coordinate and provide program leadership for the extension work of the Department and the several States and insular possessions, \$6,271,000; in all, \$409,670,000: *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, \$618,000.

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, \$435,428,000, of which \$4,500,000 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 no funds shall be used to formulate or administer a brucellosis eradication program for the current fiscal year that does not require mini-

mum 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 disease 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 1997 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. Of the total amount available under this heading in fiscal year 1997, \$98,000,000 shall be derived from user fees deposited in the Agricultural Quarantine Inspection User Fee Account.

Mr. SKEEN. Mr. Chairman, I ask unanimous consent that the remainder of title I through page 29, line 17, be considered as read, printed in the RECORD and open to amendment at any point.

The CHAIRMAN. Is there an objection to the request of the gentleman from New Mexico?

There was no objection.

The remainder of title I is as follows:

BUILDINGS AND FACILITIES

For plans, construction, repair, preventive maintenance, environmental support, improvement, extension, alteration, and purchase of fixed equipment or facilities, as authorized by 7 U.S.C. 2250, and acquisition of land as authorized by 7 U.S.C. 428a, \$3,200,000, 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, \$37,592,000, 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 \$59,012,000 (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 \$10,576,000 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.

PAYMENTS TO STATES AND POSSESSIONS

For payments to departments of agriculture, bureaus and departments of markets, and similar agencies for marketing activities under section 204(b) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1623(b)), \$1,200,000.

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, \$22,728,000: *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  
SERVICE EXPENSES

Not to exceed \$43,207,000 (from fees collected) shall be obligated during the current fiscal year for inspection and weighing services: *Provided*, That if grain export activities require additional supervision and oversight, or other uncontrollable factors occur, this limitation may be exceeded by up to 10 percent with notification to the Appropriations Committees.

## OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

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

## FOOD SAFETY AND INSPECTION SERVICE

For necessary expenses to carry 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, \$574,000,000, 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, \$572,000.

FARM SERVICE AGENCY  
SALARIES AND EXPENSES

## (INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for carrying out the administration and implementation of programs administered by the Farm Service Agency, \$746,440,000: *Provided*, That the Secretary is authorized to use the services, facilities, and authorities (but not the funds) of the Commodity Credit Corporation to make program payments for all programs administered by the Agency: *Provided further*, That other funds made available to the Agency for authorized activities may be advanced to and merged with this account: *Provided further*, That these funds shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$1,000,000 shall be available for employment under 5 U.S.C. 3109.

## 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), \$1,000,000, 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, \$600,000,000, of which \$550,000,000 shall be for guaranteed loans; operating loans, \$2,345,071,000, 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, \$1,000,000; for emergency insured loans, \$25,000,000 to meet the needs resulting from natural disasters and for credit sales of acquired property, \$25,000,000.

For the cost of direct and guaranteed loans, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, as follows: farm ownership loans, \$27,975,000, of which \$22,055,000 shall be for guaranteed loans; operating loans, \$96,840,000, of which \$19,210,000 shall be for unsubsidized guaranteed loans and \$18,480,000 shall be for subsidized guaranteed loans; Indian tribe land acquisition loans as authorized by 25 U.S.C. 488, \$54,000; for emergency insured loans, \$6,365,000 to meet the needs resulting from natural disasters; and for credit sales of acquired property, \$2,530,000.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, \$221,046,000, of which \$208,446,000 shall be transferred to and merged with the "Farm Service Agency, Salaries and Expenses" account.

## OFFICE OF RISK MANAGEMENT

For administrative and operating expenses, as authorized by the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 6933), \$62,198,000: *Provided*, That not to exceed \$700 shall be available for official reception and representation expenses, as authorized by 7 U.S.C. 1506(i).

## CORPORATIONS

The following corporations and agencies are hereby authorized to make expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accord with law, and to make contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as 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 1997, such sums as may be necessary to reimburse the Commodity Credit Corporation for net realized losses sustained, but not previously reimbursed (estimated to be \$1,500,000,000 in the President's fiscal year 1997 Budget Request (H. Doc. 104-162)), but not to exceed \$1,500,000,000, 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 1997, 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.

The CHAIRMAN. The Clerk will continue to read.

The Clerk read as follows:

## TITLE II—CONSERVATION PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR  
NATURAL RESOURCES AND ENVIRONMENT

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

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 alternation or improvement of permanent and temporary buildings; and operation and maintenance of aircraft, \$619,392,000, to remain available until expended (7 U.S.C. 2209b), of which not less than \$5,835,000 is for snow survey and water forecasting and not less than \$8,825,000 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).

Mr. SKEEN. Mr. Chairman, I ask unanimous consent that the remainder of title II, through page 34, line 7, be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

The remainder of title II is as follows:

#### WATERSHED SURVEYS AND PLANNING

For necessary expenses to conduct research, investigation, and surveys of watersheds of rivers and other waterways, and for small watershed investigations and planning, in accordance with the Watershed Protection and Flood Prevention Act approved August 4, 1954, as amended (16 U.S.C. 1001-1009), \$10,762,000: *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.

#### 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, 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, \$101,036,000, to remain available until expended (7 U.S.C. 2209b), of which up to \$15,000,000 may 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 available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$200,000 shall be available for employment under 5 U.S.C. 3109: *Provided further*, That not to exceed \$1,000,000 of this appropriation is available to carry out the purposes of the Endangered Species Act of 1973 (Public Law 93-205), 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 conserva-

tion 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), the Act of April 27, 1935 (16 U.S.C. 590a-f), and the Agriculture and Food Act of 1981 (16 U.S.C. 3451-3461), \$29,377,000, to remain available until expended (7 U.S.C. 2209b): *Provided*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$50,000 shall be available for employment under 5 U.S.C. 3109.

#### 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.

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

#### TITLE III—RURAL ECONOMIC AND COMMUNITY DEVELOPMENT PROGRAMS OFFICE OF THE UNDER SECRETARY FOR RURAL DEVELOPMENT

For necessary salaries and expenses of the Office of the Under Secretary for Rural Development to administer programs under the laws enacted by the Congress for the Rural Housing Service, Rural Business-Cooperative Service, and the Rural Utilities Service of the Department of Agriculture, \$588,000.

#### RURAL HOUSING SERVICE

##### RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT (INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by title V of the Housing Act of 1949, as amended, to be available from funds in the rural housing insurance fund, as follows: \$3,300,000,000 for loans to section 502 borrowers, as determined by the Secretary, of which \$2,300,000,000 shall be for unsubsidized guaranteed loans; \$35,000,000 for section 504 housing repair loans; \$15,000,000 for section 514 farm labor housing; \$58,654,000 for section 515 rental housing; \$600,000 for section 524 site loans; \$50,000,000 for credit sales of acquired property; and \$600,000 for section 523 self-help housing land development loans.

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, \$89,210,000, of which \$6,210,000 shall be for unsubsidized guaranteed loans; section 504 housing repair loans, \$11,081,000; section 514 farm labor housing, \$6,885,000; section 515 rental housing, \$28,987,000: *Provided*, That no funds for new construction for section 515 rental housing may be available for fiscal year 1997; credit sales of acquired property, \$4,050,000; and section 523 self-help housing land development loans, \$17,000.

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

Mr. Speaker, my purpose in rising today is to enter into a colloquy with my chairman, the gentleman from New Mexico [Mr. SKEEN] regarding the section 515 rural rental housing program.

As my colleague knows, the fiscal year 1997 Agriculture Appropriations bill we are now considering, does not provide any funds for section 515 new construction, and actually cuts the program by two thirds from the current fiscal year. This program has been

useful in my district providing housing for low income families, creating jobs, and attracting important economic development to a rural area. It has been a successful public-private partnership. Therefore, I wish to express some concern about this issue.

Mr. Chairman, as you know, the section 515 Rural Housing program provides affordable rental housing to very low-income and low-income rural families, handicapped, and elderly residents. It is the Federal Government's only directly targeted tool for meeting the multifamily housing needs of rural America. The average income of a tenant in a section 515 project is under \$7,300. However, in 1993, problems and abuses in the section 515 program were uncovered and investigated by the General Accounting Office [GAO], the House Appropriations Committee's surveys and investigations staff, and the U.S. Department of Agriculture's inspector general. In the summer of 1994, the House Appropriations Committee investigative report on section 515 and section 521 was released, under the gentleman's and Congressman DURBIN's leadership.

Without going into a great deal of detail, after hearings, audits, and many meetings, the House passed H.R. 3838, the Housing and Community Development Act of 1994. This effort developed a list of reforms to the section 515 program. The House again passed a bill in this Congress, H.R. 1691, the Home-steading and Neighborhood Restoration Act, which included similar provisions to the reforms in H.R. 3838. Unfortunately, however, the Senate has not taken any action on this issue.

Mr. Chairman, the gentleman and ranking minority member, Mr. DURBIN, are to be commended for bringing these problems to our attention. The section 515 program is in need of reform.

However, according to the 1990 census, there were still 7.6 million people below the poverty line in the rural United States, 13 percent of the total rural population. Adding to this problem is the fact that almost 2.7 million rural residents currently live in substandard housing and 1.8 million live in overcrowded housing units. This year there are 200,000 applicants on the waiting list for apartments in rural areas. The section 515 program is serving a significant rural need, and the fiscal year 1997 level of funding is not adequate to meet even a fraction of that need.

I might add that most States, including New York, are running the program honestly and effectively, and, Mr. Chairman, I agree with you the Senate needs to address this issue. It is my intention to discuss the reform of the section 515 program with Senator ALFONSE D'AMATO, chairman of the Senate Banking Committee. It is my hope that reasonable reforms of the section 515 program can be considered in the Senate agriculture appropriations bill or other housing authorization legislation.

Mr. Chairman, I would like to request that if the Senate does consider reforms of the section 515 Rural Rental Housing Program, if the gentleman would be willing to reopen the issue, and provide funding for section 515 new construction.

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

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

Mr. DURBIN. Mr. Chairman, I thank the gentleman from New York [Mr. WALSH]. I appreciate his concern about the funding of section 515, new construction.

The 515 program has a worthy objective. It is a goal which all of us share in providing multifamily housing in rural areas.

Several years ago, when this subcommittee investigated this program, we found that some developers were ripping off the Federal Government. We proposed to the Committee on Banking and Financial Services some significant reforms in this program. The Committee on Banking and Financial Services passed housing authorization bills which adopted most of what we proposed on a bipartisan basis. Then a new Congress came in. The same thing occurred under the new Congress. The Republican-controlled Banking Subcommittee on Housing, which I believe the gentleman from New York [Mr. LAZIO] chairs, passed reform legislation along the lines we have suggested. Again, as in the previous Congress, the bill died in the Senate.

This subcommittee is very frustrated. We want to fund this program. We do not want to waste taxpayers' dollars. If we can pass the reforms suggested in both bills, this program will be funded as it should be. The gentleman from New York is right. We need to meet our obligation here, but to do it in a way that we can do it with a straight face and say we are doing the right thing by taxpayers.

I am pleased that the gentleman intends to speak to the chairman of the Senate Committee on Banking. The opportunity to put this program on track is in their hands, and I would like to see the Senate act on those reforms.

The CHAIRMAN. The time of the gentleman from New York [Mr. WALSH] has expired.

(By unanimous consent, Mr. WALSH was allowed to proceed for 1 additional minute.)

Mr. WALSH. Mr. Chairman, I yield to the gentleman from New Mexico [Mr. SKEEN].

Mr. SKEEN. Mr. Chairman, I, too, appreciate the gentleman's concern and support the goal of the section 515 program.

Unfortunately, our lower allocation for the entire appropriations bill this year necessitated a careful review of our funding priorities. We simply do not have the ability to fund programs about which we are uneasy. While many members of our subcommittee support rural housing programs, sec-

tion 515 has been beset with problems, as mentioned in the colloquies that have taken place before this one. The Agency, through administrative actions, has addressed numerous weaknesses in the program, however, statutory changes are necessary to further rid the program of fraud and abuse.

The House has acted twice on the reforms. It is now time for the Senate to act. Of course, we would be willing to consider the gentleman's request once we have seen movement by the Senate on this particular program.

Mr. WALSH. Mr. Chairman, I pledge that I will pursue this aggressively with the Senator from New York and see if we can get these reforms passed.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, \$366,205,000, which shall be transferred to and merged with the appropriation for "Rural Housing Service, Salaries and Expenses".

Mr. SKEEN. Mr. Chairman, I ask unanimous consent that the remainder of title III through page 46, line 10, be considered as read, printed in the RECORD and open to amendment at any point.

The CHAIRMAN. Is there any objection to the request of the gentleman from New Mexico.

There was no objection.

The remainder of title III is as follows:

#### RENTAL ASSISTANCE PROGRAM

For rental assistance agreements entered into or renewed pursuant to the authority under section 521(a)(2) or agreements entered into in lieu of debt forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Housing Act of 1949, as amended, \$493,870,000; 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 1997 shall be funded for a five-year period, although the life of any such agreement may be extended to fully utilize amounts obligated.

#### MUTUAL AND SELF-HELP HOUSING GRANTS

For grants and contracts pursuant to section 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C. 1490c), \$26,000,000, to remain available until expended (7 U.S.C. 2209b).

#### RURAL HOUSING ASSISTANCE PROGRAM

##### (INCLUDING TRANSFERS OF FUNDS)

For the cost of direct loans, loan guarantees, agreements, and grants, as authorized by 7 U.S.C. 1926, 42 U.S.C. 1472, 1474, 1479, 1486, and 1490(a), except for sections 381E, 381H, 381N of the Consolidated Farm and Rural Development Act, \$73,190,000, to remain available until expended, for direct loans and loan guarantees for community facilities, community facilities grant program, rural hous-

ing for domestic farm labor grants, supervisory and technical assistance grants, very low-income housing repair grants, rural community fire protection grants, rural housing preservation grants, and compensation for construction defects of the Rural Housing Service: *Provided*, That the cost of direct loans and loan guarantees shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That the amounts appropriated shall be transferred to loan program and grant accounts as determined by the Secretary: *Provided further*, That no funds for new construction relating to 515 rental housing may be available for fiscal year 1997: *Provided further*, That of the funds made available in this paragraph not more than \$1,200,000 shall be available for the multi-family rural housing loan guarantee program as authorized by section 5 of Public Law 104-120: *Provided further*, That if such funds are not obligated for multi-family rural housing loan guarantees by June 30, 1997, they remain available for other authorized purposes under this head: *Provided further*, That of the total amount appropriated, not to exceed \$1,200,000 shall be available for the cost of direct loans, loan guarantees, and grants to be made 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, 1997, they remain available for other authorized purposes under this head.

#### SALARIES AND EXPENSES

For necessary expenses of the Rural Housing 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, \$53,889,000: *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 \$520,000 may be used for employment under 5 U.S.C. 3109.

#### RURAL BUSINESS-COOPERATIVE SERVICE

##### RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT

##### (INCLUDING TRANSFERS OF FUNDS)

For the cost of direct loans, \$18,400,000, 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 \$40,000,000: *Provided further*, That through June 30, 1997, of the total amount appropriated \$3,345,000 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, \$7,246,000.

##### 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, \$2,830,000. In addition, for administrative expenses necessary to carry out the direct loan program, \$654,000, 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), \$6,000,000 is appropriated to the alternative agricultural research and commercialization revolving fund.

RURAL BUSINESS—COOPERATIVE ASSISTANCE  
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, except for 381E, 381H, 381N of the Consolidated Farm and Rural Development Act, \$51,400,000, to remain available until expended, for direct loans and loan guarantees for business and industry assistance, rural business grants, rural cooperative development grants, and rural business opportunity grants of the Rural Business—Cooperative Service: *Provided*, That the cost of direct loans and loan guarantees shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That \$500,000 shall be available for grants to qualified nonprofit organizations as authorized under section 310B(c)(2) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932): *Provided further*, That the amounts appropriated shall be transferred to loan program and grant accounts as determined by the Secretary: *Provided further*, That, of the total amount appropriated, not to exceed \$3,000,000 shall be available for cooperative development: *Provided further*, That, of the total amount appropriated, not to exceed \$148,000 shall be available for the cost of direct loans, loan guarantees, and grants to be made available for business and industry loans for empowerment zones and enterprise communities as authorized by Public Law 103-66 and rural development loans for empowerment zones and enterprise communities as authorized by title XIII of the Omnibus Budget Reconciliation Act of 1993: *Provided further*, That if such funds are not obligated for empowerment zones and enterprise communities by June 30, 1997, they remain available for other authorized purposes under this head.

SALARIES AND EXPENSES

For necessary expenses of the Rural Business-Cooperative 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; \$25,680,000: *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 \$260,000 may be used for employment under 5 U.S.C. 3109.

RURAL UTILITIES SERVICE

RURAL ELECTRIFICATION AND TELECOMMUNICATIONS LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

Insured loans pursuant to the authority of section 305 of the Rural Electrification Act of 1936, as amended (7 U.S.C. 935), shall be made as follows: 5 percent rural electrification loans, \$125,000,000, 5 percent rural telecommunications loans, \$75,000,000; cost of money rural telecommunications loans, \$300,000,000; municipal rate rural electric loans, \$525,000,000; and loans made pursuant to section 306 of that Act, rural electric,

\$300,000,000, and rural telecommunications, \$120,000,000, 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, \$4,818,000; cost of municipal rate loans, \$28,245,000; cost of money rural telecommunications loans, \$60,000; cost of loans guaranteed pursuant to section 306, \$2,790,000: *Provided*, That notwithstanding section 305(d)(2) of the Rural Electrification Act of 1936, borrower interest rates may exceed 7 percent per year.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, \$29,982,000, 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 1997 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), \$2,328,000.

In addition, for administrative expenses necessary to carry out the loan programs, \$3,500,000.

DISTANCE LEARNING AND MEDICAL LINK  
PROGRAM

For the cost of direct loans and grants, as authorized by 7 U.S.C. 950aaa et seq., as amended, \$7,500,000, to remain available until expended, to be available for loans and grants for telemedicine and distance learning services in rural areas: *Provided*, That the costs of direct loans shall be as defined in section 502 of the Congressional Budget Act of 1974.

RURAL UTILITIES ASSISTANCE 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, except for 381E, 381H, 381N of the Consolidated Farm and Rural Development Act, \$496,868,000, to remain available until expended, for direct loans and loan guarantees and grants for rural water and waste disposal, and solid waste management grants of the Rural Utilities Service: *Provided*, That the cost of direct loans and loan guarantees shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That the amounts appropriated shall be transferred to loan program and grant accounts as determined by the Secretary: *Provided further*, That, through June 30, 1997, of the total amount appropriated, \$18,700,000 shall be available for the costs of direct loans, loan guarantees, and grants to be made available for empowerment zones and enterprise communities, as authorized by Public Law 103-66: *Provided further*, That, of the total amount appropriated, not to exceed \$18,700,000 shall be for water and waste disposal systems to benefit the Colonias along the United States/Mexico border, including grants pursuant to section 306C of the Consolidated Farm and

Rural Development Act, as amended: *Provided further*, That, of the total amount appropriated, not to exceed \$5,000,000 shall be available for contracting with qualified national organizations for a circuit rider program to provide technical assistance for rural water systems: *Provided further*, That an amount not less than that available in fiscal year 1996 be set aside and made available for ongoing technical assistance under sections 306(a)(14) (7 U.S.C. 1926) and 310(B)(b) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932).

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, and cooperative agreements, \$33,195,000: *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 \$105,000 may be used for employment under 5 U.S.C. 3109.

The CHAIRMAN. Are there any amendments?

If not, the Clerk will read.

The Clerk read as follows:

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, \$454,000.

CHILD NUTRITION PROGRAMS

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the National School Lunch Act (42 U.S.C. 1751-1769b), except section 21, and the Child Nutrition Act of 1966 (42 U.S.C. 1772-1785, and 1889); except sections 17 and 19; \$8,652,597,000, to remain available through September 30, 1998, of which \$3,218,844,000 is hereby appropriated and \$5,433,753,000 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 none of the funds made available under this heading shall be used for studies and evaluations: *Provided further*; That up to \$4,031,000 shall be available for independent verification of school food service claims.

□ 1700

AMENDMENTS OFFERED BY MR. VOLKMER

Mr. VOLKMER. Mr. Chairman, I offer amendments, and I ask unanimous consent that they be considered en bloc.

The Clerk read as follows:

Amendments offered by Mr. VOLKMER:.

On page 47, line 4 of the bill after the words "used for" insert "new" and on page 48, line 19 of the bill after the words "used for" insert "new".

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. VOLKMER. Mr. Chairman, this is for the purpose of making it clear that the appropriation on further studies and evaluations by this office over USDA will only be prospective for the coming year. It does not include any evaluation and studies that are ongoing at the present time, so that valid studies like for the electronic benefit transfer, WIC program, and stuff, that will continue.

I have worked this out with the gentleman from New Mexico and the gentleman from Illinois. I do not believe there are any objections to the amendments.

Mr. SKEEN. Mr. Chairman, I rise in support of the gentleman's amendments. It was not the intention of the committee to stop any ongoing studies. The Department currently has 62 studies that are at one stage or another and plans to start 36 new studies in fiscal year 1997. The committee's action was intended to prevent the start of new studies for 1 year and give the Department time to complete the 62 ongoing studies. I accept the gentleman's clarification.

Mr. DURBIN. Mr. Chairman, I move to strike the last word. I have no objection to the amendments offered by the gentleman from Missouri.

The CHAIRMAN. The question is on the amendments offered by the gentleman from Missouri [Mr. VOLKMER].

The amendments were agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

**SPECIAL SUPPLEMENTAL NUTRITION PROGRAM  
FOR WOMEN, INFANTS, AND CHILDREN (WIC)**

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, 1998: *Provided*, That none of the funds made available under this heading may be used to begin more than two studies and evaluations: *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, of the total amount of fiscal year 1996 carryover funds that cannot be spent in fiscal year 1997, any funds in excess of \$100,000,000 may be transferred by the Secretary to other programs in the Department of Agriculture, excluding the Forest Service, with prior notification to the House and Senate Appropriations Committees: *Provided further*, That none of the funds in this Act shall be available to pay administrative expenses of WIC clinics except those that have an announced policy of prohibiting smoking within the space used to carry out the program: *Provided further*, That none of the funds provided in this account shall be available for the purchase of infant formula except in accordance with the cost containment and competitive bidding requirements specified in section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786).

**FOOD STAMP PROGRAM**

For necessary expenses to carry out the Food Stamp Act (7 U.S.C. 2011-2029), \$27,615,029,000: *Provided*, That funds provided herein shall remain available through September 30, 1997, in accordance with section 18(a) of the Food Stamp Act: *Provided further*, That \$100,000,000 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 none of the funds made available under this heading shall be used for studies and evaluations: *Provided further*, That funds provided herein shall be expended in accordance with section 16 of the Food Stamp Act: *Provided further*, That this appropriation shall be subject to any work registration or workfare requirements as may be required by law: *Provided further*, That \$1,174,000,000 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)), the Emergency Food Assistance Act of 1983, as amended, and section 110 of the Hunger Prevention Act of 1988, \$166,000,000, to remain available through September 30, 1998: *Provided*, That none of these funds shall be available to reimburse the Commodity Credit Corporation for commodities donated to the 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), \$205,000,000, to remain available through September 30, 1998.

**FOOD PROGRAM ADMINISTRATION**

For necessary administrative expenses of the domestic food programs funded under this Act, \$104,487,000, 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: *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 AND  
GENERAL SALES MANAGER  
(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), \$128,005,000, of which \$2,792,000 may be transferred from the Export Loan Program 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): *Provided further*, That funds provided for foreign market development to trade associations, cooperatives and small businesses shall be allocated only after a competitive bidding process to target funds to those entities most likely to generate additional U.S. exports as a result of the expenditure.

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) \$216,400,000 for Public Law 480 title I credit, including Food for Progress programs; (2) \$13,905,000 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) \$837,000,000 is hereby appropriated for commodities supplied in connection with dispositions abroad pursuant to title II of said Act; and (4) \$29,500,000 is hereby appropriated for commodities supplied in connection with dispositions abroad pursuant to title III of said Act: *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, \$177,000,000.

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.

**AMENDMENT OFFERED BY MR. GOSS**

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. GOSS: Page 51, line 23, strike "1727-1727f,".

Page 52, line 4, insert "and" before "(3)".

Page 52, line 7, strike "; and (4)" and all that follows through "Act" on line 9.

Page 52, line 11, insert "such" before "title".

Page 52, line 12, insert "such" before "title".

Mr. GOSS. Mr. Chairman, this amendment goes to title III of Public Law 480. We have taken a close look at Public Law 480. There are some pluses and minuses to it. The pluses that we have talked about in the past are the business for American flag shipping, the compassion and humanitarian relief that so many are concerned about and the champion, the gentleman from Ohio [Mr. HALL], spoke so eloquently about it yesterday in the Rules Committee and an area which I have a great deal of sympathy.

Mr. Chairman, this amendment was to go to title III which is basically the loans proposition in Public Law 40. It does not touch the humanitarian programs in title II or some of the other programs that I think serve a very good purpose in title I that basically come under the grants programs.

The question here is not an awful lot of money but the question here is a program that is not working very well that does have negative consequences and the money could be better spent elsewhere. I have conferred with Chairman LIVINGSTON if in fact this \$29 million would not do better in title I or

title II than title III and I think Chairman LIVINGSTON is going to speak on that in a moment.

So my view is to zero out title III and to leave to the wisdom of others, who I think, as I say, are going to speak on this, that \$29.5 million to get it more on target.

What are my reasonings on this? We have now got some reports that we have been taking an increasing look at that are talking about the problems of waste, fraud, and abuse in Public Law 480. This does not get to all of those. But what it does get to is that those countries where we are distorting the market by creating a surplus of food coming from us where the people who should be in the position of creating, a lifting up by their own bootstraps to feed themselves are being unfairly competed with by local UST foods under title III. Consequently we get a negative effect. We are not helping people create their own development in their own country. We are creating a counterincentive for them to have their hand out and become dependents on welfare of the American taxpayers. That is not what we want to do.

We want to encourage development in these programs; we want the United States to be compassionate; we want people to be fed who are in true need and in true hunger and we can do that through titles I and II. This simple amendment takes the \$29.5 million out of title III and makes it available for reallocation.

Mr. Chairman, I yield to the distinguished gentleman from Louisiana [Mr. LIVINGSTON], the chairman of the Committee on Appropriations.

Mr. LIVINGSTON. I thank my friend from Florida for yielding to me.

Mr. Chairman, while I take no position on his amendment, I would say to our colleagues that if his amendment succeeds, it would be my intention to take the full amount that has been deleted from title III and move it into title I so that we would in fact have no change in the overall spending for food aid under the bill.

One may make the case that title I is better administered than title III, and if that is the case, then the money will be better spent in that fashion. I commend the gentleman for his diligence in trying to make sure that the American taxpayers' dollars are well spent. As I say, while I do not necessarily support the amendment, I do intend to move the money to title I in the event that he is successful.

Mr. GOSS. Mr. Chairman, reclaiming my time, I have nothing further to add to this. I think it is a very straightforward explanation. I would be very happy to respond to any questions from those in opposition.

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

Mr. Chairman, I stand in opposition to this amendment. Keep in mind that we have reduced the amount of money under title III, Public Law 480, from \$50 million to \$29 million. I am almost

speechless, and that is something for a politician, when I consider that we are now trying to take away \$29 million spent by the United States of America in the poorest countries of the world, literally the poorest of the poor. The money is given to professional private voluntary organizations which use the food to convert into cash to put into programs to feed the poorest people in the world literally.

In order for a country to qualify for this \$29 million, I say to my friend from Florida, there is a requirement under the law that the annual income has to be less than \$742 a year. We are talking about people, and I have visited people in Bangladesh, which has to be a basket case among this family of nations that we live in for disastrous consequences from cyclones and hurricanes to flooding and drought.

This money is given to local organizations through the conversion of grain into cash and then given back to the people to feed their babies, to feed their infants, to make certain that we do not see the horror on the television of people starving to death. That is what title III is all about.

Mr. Chairman, the grain companies are not going to notice \$29 million more in title I, but we are going to notice it when they visit countries like Bangladesh, Bolivia, Honduras, Sri Lanka, and Ethiopia where the poorest of the poor rely on this program. A nation as rich as the United States, as compassionate as the United States, can surely spare \$29 million out of a \$1.5 trillion budget for the poorest of the poor around the world.

I guarantee my colleague from Florida that if his amendment goes through and we see the kind of famine and disaster we have seen in nations, there will be an outpouring not only from private citizens but from this Government to come to their aid. Please do not cut off this basic program which provides food. This is not a boondoggle.

The gentleman says it is used to distort the market mechanism. The market mechanism in Bangladesh? Has the gentleman been there? Has he seen their market mechanism? It is not a question of driving to the supermarket. It is a question of whether the baby has milk, whether or not there are basic foodstuffs to feed children.

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

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

Mr. GOSS. Mr. Chairman, the purpose of my amendment is not to take away food from those who are truly needy or in any way to diminish the American contribution for true compassionate service needs. My aim is to try and get more mileage out of our dollar. That is why Chairman LIVINGSTON has made the statement that he has. The parts of this program that are doing the very thing that the gentleman is speaking about, and speaking so eloquently about, are title I and title II. Title III is where the abuse has been. It is the mechanism I am after.

Mr. DURBIN. Let me reclaim my time. I think the gentleman has made his point. I think the gentleman needs to take the time to read what is done with the title III money. The gentleman will understand that when you spread \$29 million over the poorest countries in the world, you literally give a tiny helping hand.

Let me give an example. In Honduras, the title III money is being used for purposes such as providing food to 1.3 million children and nursing mothers. In Sri Lanka they have developed a Food Stamp Program for the poorest of the poor who live in rural areas; in Bangladesh, establishing a strategic food reserve so that farmers can basically have food when they go through these droughts and lose everything.

I would say to the gentleman, if we need to find \$29 million more for title I, I will work overtime to find it. Please do not take it out of title III. We have cut this program dramatically. It is a program that truly is a compassionate program. I have been there. I have seen it. The gentleman just does not understand the gravity of this program and its importance to some of the poorest people in the world.

I urge my colleagues, do not do this in the name of false economy. If we have a famine and a disaster, we will respond with much more than \$29 million. Please defeat this amendment.

Mr. LIVINGSTON. Mr. Chairman, I move to strike the requisite number of words, and I yield to the gentleman from Florida [Mr. GOSS].

Mr. GOSS. I thank the distinguished chairman of the Committee on Appropriations for yielding.

Mr. Chairman, again I think we are going at cross purposes here and I realize that I have hit a chord of real compassion which has made the gentleman be, I think, very concerned but totally unnecessarily so. We have a commitment from the chairman of the Committee on Appropriations that programs that are passing muster, which are titles I and II, much better in getting right to the compassion need are the appropriate place for this money to go.

What brought my attention to this particular title problem was a problem that happened in Somalia where the war lords were abusing this title, I am told, and requiring people to come into the city, for political reasons, in order to get this food. This was using this sort of as a political chip to coerce people, who are in dire straits, as we all know, which helped escalate to another serious problem that regrettably we saw another tragedy involving American servicemen on. We go to the IG's reports at USID on this matter and start looking at the fraud, waste, and abuse. I have no problem in sharing America's wonderfully blessed abundant resources with those truly in need, subject, of course, to rational and prudent constraints of our own domestic needs in this country. I am only suggesting that if we have mechanisms

that are not performing well and we find ourselves being taken advantage of, we see abuse to our largesse being made, we see our compassion being misdirected, we see ourselves being taken advantage of, played the fool, made a sucker of because of our legitimate compassionate feelings, it seems to me that we ought to correct the mechanism. That is all I am trying to accomplish here. If we have got something that does not work, we need to admit it rather than just saying, "Oh, gosh, somebody may starve."

□ 1715

The answer is, oh, gosh, we may be able to save more people if we get rid of a mechanism that is faulty and put the money in something that works. That is all I am trying to say.

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

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

Mr. DURBIN. I thank the gentleman.

I would like to say to my friend from Florida, I think we share the same goal. I do not want to see a single penny wasted. I do not want to see a single taxpayer's dollar misused for political purposes or otherwise. But does the gentleman realize in titles I and II we have over \$1 billion being spent by this country?

The gentleman is talking about taking \$29 million out of title III because he is upset with one or two allocations around the world. I would say to the gentleman, I have a list here in my hand of five allocations which he should applaud, where this title III money is being used to literally feed starving people.

Please, do not kill the whole program in countries like Ethiopia, Sri Lanka, Honduras, Bolivia, and Bangladesh, because you have some objection to what happened in Somalia.

Mr. GOSS. Mr. Chairman, if the gentleman will yield further, I guess I would finish this by saying that humanitarian emergency feeding programs, which are the type the gentleman is talking about, that come under title III, are going to remain not only fully funded, but probably enhanced under this amendment. We are going to get more money where the need is doing it this way than we are by just maintaining the status quo of a program that has already been cut, because, frankly, it is not doing the job it should be doing, and, frankly, it has got some problems. The people, properly the gentleman from Louisiana [Mr. LIVINGSTON] and his people, have seen there is trouble there. Consequently, they have cut some money.

I merely suggested we got a good first step, why not take the rest of the stem and get rid of title III, and do it right through titles I and II and get the job done well. I think the consequence is we end up taking care of more serious needs than not. My motive is none other than that.

What struck the chord yesterday was the gentleman from Ohio [Mr. HALL]

trying in the Committee on Rules to find a way to get the Committee on Rules to grant an exception for a waiver that would basically get more money into title II. We could not do it on the Committee on Rules, so I thought this would be a fair way to try and accommodate the desires of the gentleman from Ohio [Mr. HALL].

The CHAIRMAN pro tempore (Mr. GOODLATTE). The question is on the amendment offered by the gentleman from Florida [Mr. GOSS].

The amendment was rejected.

The CHAIRMAN pro tempore. Are there further amendments to this paragraph?

If not, the Clerk will read.

The Clerk read as follows:

COMMODITY CREDIT CORPORATION EXPORT  
LOANS PROGRAM ACCOUNT  
(INCLUDING TRANSFERS OF FUNDS)

For administrative expenses to carry out the Commodity Credit Corporation's export guarantee program, GSM 102 and GSM 103, \$3,381,000; 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 Farm Service Agency.

EXPORT CREDIT

The Commodity Credit Corporation shall make available not less than \$5,500,000,000 in credit guarantees under its export credit guarantee program extended to finance the export sales of United States agricultural commodities and the products thereof, as authorized by section 202 (a) and (b) of the Agricultural Trade Act of 1978 (7 U.S.C. 5641).

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; \$907,499,000, of which not to exceed \$87,528,000 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 1997 shall be subject to the fiscal year 1997 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.

In addition, fees pursuant to section 801 of the Federal Food, Drug, and Cosmetic Act may be credited to this account, to remain available until expended.

None of the funds appropriated or made available to the Federal Food and Drug Ad-

ministration shall be used to implement any rule finalizing the August 25, 1995 proposed rule entitled "The Prescription Drug Product Labeling; Medication Guide Requirements," except as to any specific drug or biological product where the FDA determines that without approved patient information there would be a serious and significant public health risk.

Section 3 of the Saccharin Study and Labeling Act (21 U.S.C. 348 nt.) is amended by striking out "May 1, 1997" and inserting in lieu thereof "May 1, 2002".

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, \$21,350,000, 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 \$10,290,000.

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; \$55,101,000, 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

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed \$37,478,000 (from assessments collected from farm credit institutions and from the Federal Agricultural Mortgage Corporation) shall be obligated during the current fiscal year for administrative expenses as authorized under 12 U.S.C. 2249.

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 1997 under this Act shall be available for the purchase, in addition to those specifically provided for, of not to exceed 667 passenger motor vehicles, of which

643 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 (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, fruit fly program, and integrated systems acquisition project; 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. 450i(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 re-

duction in the level of rental space or services below that of fiscal year 1996 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. 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 1997 shall remain available until expended to cover obligations made in fiscal year 1997 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 1997 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 pro-

cedures 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 and the Animal and Plant Health Inspection Service may use cooperative agreements to reflect a relationship between Agricultural Marketing Service or the Animal and Plant Health Inspection Service and a State or Cooperator to carry out agricultural marketing programs or to carry out programs to protect the Nation's animal and plant resources.

SEC. 718. None of the funds in this Act may be used to retire more than 5% of the Class A stock of the Rural Telephone Bank or to maintain any account or subaccount within the accounting records of the Rural Telephone Bank the creation of which has not specifically been authorized by statute.

SEC. 719. None of the funds appropriated or otherwise made available by this Act may be used to provide food stamp benefits to households whose benefits are calculated using a standard deduction greater than the standard deduction in effect for fiscal year 1995.

SEC. 720. 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/market access 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. 721. None of the funds appropriated or otherwise made available by this Act shall be used to enroll in excess of 130,000 acres in the fiscal year 1997 wetlands reserve program, as authorized by 16 U.S.C. 3837.

SEC. 722. Of the funds made available by this Act, not more than \$1,000,000 shall be used to cover necessary expenses of activities related to all advisory committees, panels, commissions, and task forces of the Department of Agriculture except for panels used to comply with negotiated rule makings.

SEC. 723. None of the funds appropriated or otherwise made available by this Act shall be used to pay the salaries and expenses of personnel who carry out an export enhancement program if the aggregate amount of funds and/or commodities under such program exceeds \$100,000,000.

SEC. 724. None of the funds appropriated or otherwise made available by this Act shall be used to pay the salaries and expenses of personnel who carry out a farmland protection program in excess of \$2,000,000 authorized by section 388 of Public Law 104-127.

SEC. 725. None of the funds appropriated or otherwise made available by this Act shall be used to pay the salaries and expenses of personnel who carry out a wildlife habitat incentives program authorized by section 387 of Public Law 104-127.

SEC. 726. None of the funds appropriated or otherwise made available by this Act shall be used to pay the salaries and expenses of personnel who carry out a conservation farm option program in excess of \$2,000,000 authorized by section 335 of Public Law 104-127.

SEC. 727. None of the funds appropriated or otherwise made available to the Department of Agriculture shall be used to transmit or otherwise make available to any non-Department of Agriculture employee questions or responses to questions that are a result of information requested for the appropriations hearing process.

SEC. 728. None of the funds made available in this Act may be used to pay the salaries of employees of the Department of Agriculture who make payments pursuant to a production flexibility contract entered into under section 111 of the Federal Agriculture

Improvement and Reform Act of 1996 (Public Law 104-127; 7 U.S.C. 7211) when it is made known to the Federal official having authority to obligate or expend such funds that the land covered by that production flexibility contract is not being used for the production of an agricultural commodity or is not devoted to a conserving use, unless it is also made known to that Federal official that the lack of agricultural production or the lack of a conserving use is a consequence of drought, flood, or other natural disaster.

SEC. 729. None of the funds appropriated or otherwise made available by this Act shall be used to extend any existing or expiring contract in the Conservation Reserve Program authorized by 16 U.S.C. 3831-3845.

SEC. 730. None of the funds made available in this Act may be used to maintain the price of raw cane sugar (as reported for an appropriate preceding month for applicable sugar futures contracts of the Coffee, Sugar, and Cocoa Exchange, New York) at more than 117½ percent of the statutory loan rate under section 158 of the Federal Agriculture Improvement and Reform Act (title 1 of Public Law 104-127).

SEC. 731. None of the funds appropriated in this Act may be used to carry out the provisions of section 918 of Public Law 104-127, the Federal Agriculture Improvement and Reform Act.

SEC. 732. (a) IN GENERAL.—Any owner on the date of enactment of this Act of the right to market a nonsteroidal anti-inflammatory drug that—

(1) contains a patented active agent; has been reviewed by the Federal Food and Drug Administration for a period of more than 96 months as a new drug application; and

(3) was approved as safe and effective by the Federal Food and Drug Administration on January 31, 1991, shall be entitled, for the 2-year period beginning on February 28, 1997, to exclude others from making, using, offering for sale, selling, or importing into the United States such active agent, in accordance with section 154(a)(1) of title 35, United States Code.

(b) INFRINGEMENT.—Section 271 of title 35, United States Code shall apply to the infringement of the entitlement provide under subsection (a).

(c) NOTIFICATION.—Not later than 30 days after the date of the enactment of this section, any owner granted an entitlement under subsection (a) shall notify the Commissioner of Patents and Trademarks and the Secretary for Health and Human Services of such entitlement. Not later than 7 days after the receipt of such notice, the Commission and the Secretary shall publish an appropriate notice of the receipt of such notice.

Mr. SKEEN (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of title VII, through page 68, line 22, be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

The CHAIRMAN pro tempore. Are there further amendments?

AMENDMENT OFFERED BY MR. SKEEN

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

The Clerk read as follows:

Amendment offered by Mr. SKEEN: General Provisions: On page 66 strike all on line 9 through 14.

Mr. SKEEN. Mr. Chairman, my amendment deletes the limitation on

the Department of Agriculture that would have prevented them from sending questions that had been submitted to the Department to third parties, including OMB. The past several years, we have had difficulty in getting questions back from the Department in a timely manner that are related to our hearings. It turns out that many times the holdup was not at the agency or Department level, but was with the OMB.

Although there was a rumor that this year some questions were reviewed by non-Federal people, that could not be confirmed. We have since had discussions with OMB, and will drop this provision, in hopes that next year the Committee can receive prompt response to its questions.

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

Mr. Chairman, I am in complete agreement with this amendment. It is long overdue. It was a portion of the bill that was very controversial, behind closed doors. I think the gentleman has made the right decision. It greatly improves the bill, and I support the amendment.

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

(Ms. KAPTUR asked and was given permission to revise and extend her remarks.)

Ms. KAPTUR. Mr. Chairman, I wanted to rise in support of the entire bill and commend our chairman, the gentleman from New Mexico [Mr. SKEEN], and our ranking member, the gentleman from Illinois [Mr. DURBIN], who is handling this bill for the last time here in the House, and wish him well in the other body as of next January, and to thank the gentleman from New Mexico for working with all of us on the committee, on both sides of the aisle, to continue support for American farmers, who are the most productive in the world.

Mr. Chairman, just for the record, let me say that in view of how much we have cut spending in this bill to meet the budget mark, let no one doubt which committee in this Congress is taking seriously the mandate to balance our budget. Our discretionary spending levels have been going down dramatically over the past several years.

Frankly, if you ask me, one way to solve the entitlement and mandatory spending problems and overruns we face as a country, it would be to collapse the jurisdiction of all those entitlement and mandatory spending programs right here in the Committee on Appropriations. We do a good job of it. I just want to thank the chairman for his leadership.

Mr. Chairman, the bill provides \$52.6 million in total budget authority for USDA and related agencies, a level that is \$10.51 billion below the fiscal year 1996 appropriations and \$5.9 billion below the Administration budget request for fiscal year 1997. Let no one doubt which committee in this Congress takes serious by its mandate to balance the budget. Our discre-

tionary spending levels are on a consistently downward slope. Frankly, if you ask me one way to solve the entitlement and mandatory spending overrun in other committees of this Congress would be to transfer their jurisdiction here. This is the only committee that has a proven track record of deficit reduction.

The bill includes a total of \$12.8 billion for discretionary programs which is \$508 million less than the amount appropriated in fiscal year 1996 and \$1.3 billion less than the budget request.

For mandatory programs, which are nearly 80 percent of the funding in this bill, the committee provides \$39.9 billion, a decrease of \$9.9 billion below the amount available for fiscal year 1996 and \$4.5 billion below the budget request.

Mr. Chairman, those who serve farmers and work with Agriculture are taught over and over again that there is a big difference between money and wealth. Our job on this Committee on Agriculture is to help create the wealth of America through the investments that we make in agriculture.

Market-oriented farm policy means farming for the market and not the Government, and requires investments in research which will keep agriculture competitive as we move into the new century.

The committee faced tough choices given our spending constraints. Yet, while faced with tight budget constraints we were still able to shift resources to priority programs.

In order to adequately fund critical programs like agricultural research and food safety, we needed to look at all programs funded in this bill including the new mandatory programs created by the farm bill.

Much discussion has focused on the \$100 million cut in farm program payments that was included in the subcommittee mark. I did not support efforts to restore this funding—\$100 million out of \$5.2 billion, is reasonable particularly when you consider that prices are record levels. At a time when we are on a path to balanced budget, it makes no sense to add new mandatory programs or to provide a windfall in farm payments.

I am particularly pleased that this bill also includes a provision which I offered and passed unanimously at subcommittee which requires farmers to plant in order to receive production flexibility payments under the new farm bill. This is a good Government amendment that allows taxpayers to get something in return for their investment in agriculture. The amendment allows for exemptions for conserving uses and weather-related exceptions.

As one supportive Member has described it, this is the "just don't sit on the tractor" amendment. This amendment basically says to receive a Federal payment you must work for it. If we expect welfare recipients to work for Federal payments, why shouldn't farm payments go only to those who work.

Since this amendment was offered I have heard from a number of tenant farmers who have been told by their landlords that their annual leases will not be renewed, so that the landlord can collect the full transition payment. For example, a rice farmer in Texas called my office today to say that the land he had farmed for the past 20 years was being taken away from him. He paid \$80 an acre for rent and under the payment structure of the new farm bill that landlord could receive \$160 an acre. Since the sign-up for the new farm bill is

in effect through July 12 we can make no estimate as to how widespread this concern is. But I want to serve notice today, that I will offer this amendment year after year until this provision which allows landlords to "take the money and run" is fixed.

And another farmer wrote me recently,

By all accounts my farming operation is rated as one of the top five in my county. We (my father and brother) combine ourselves so we rely on no outside help . . . We specialize in production of rice, corn and soybeans. We lease 75% of ground to farm which is the cause of our problem.

The landowner can now, terminate a lease of the tenant, . . . with the sole purpose of collecting the payment and not producing any crops on that land. . . . It allows investors to buy real estate and use the payment to help pay for the land, while not allowing a producer to farm it. . . . It was not the intent of this legislation to give land owners or any one the chance to exploit this bill into another public relations nightmare.

I must however express my opposition to the cap on sugar payments that is included in this bill. While I will not offer a motion to strike this provision, its impact will be devastating to the sugar beet farmers in my District. This bill caps the U.S. raw sugar price at 117.5 percent of the loan rate, or 21.5 cents per pound. This about 1.5 cents below current prices. According to USDA, so much foreign sugar would have to be imported to reduce the raw sugar price to the capped level, that the refined sugar prices beet producers receive for their crop would plummet to about 24 cents per pound from the current 32 cents per pound. This cap will reduce the value of the sugar produced by beet growers by \$650 million.

Traditional farm programs continue to receive a decreasing portion of our spending and in my view we should target our scarce agricultural dollars to small family farmers. I opposed the recent farm bill because I do not believe that it did enough to target assistance to family farmers and to provide them with a safety when times are bad. While the farm bill made progress by enacting a \$40,000 payment limitation, I remain concerned that large corporate farmers can still have access to Federal payments.

In the decade of the 1980's we have slowly eroded the basis of American agriculture—the family farmer—and are moving in the direction of large corporate farms. We must address the increased concentration in agricultural markets that is squeezing family farmers out of business. We must also ensure that commodity prices are maintained at a level high enough to compensate for costs of production and to maintain standards of living in order to attract and retain individuals in farm production. And further, we must also negotiate trade agreements which encourage and enhance the ability of family farmers to compete in world markets.

In agriculture trade, we must also work to recapture lost markets and increase exports. As American agricultural exports grow, foreign agriculture exports are being shipped to the United States in greater magnitude. Since 1981, our agricultural exports have declined from \$43.8 billion to a low of \$26.2 billion in 1986 and are projected to be a record \$60 billion next year. At the same time agricultural imports have increased from \$10.8 billion to approximately \$25 billion in 1995. In many cases these are products our own farmers could be selling.

In closing, I want to again commend the chairman and the ranking member for putting together a good bill. I urge the Members to support this fiscally responsible measure.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from New Mexico [Mr. SKEEN].

The amendment was agreed to.

Mr. SKEEN. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. CHAMBLISS) having assumed the chair, Mr. GOODLATTE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill, H.R. 3603, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Programs for the fiscal year ending September 30, 1997, and for other purposes, had come to no resolution thereon.

#### SPECIAL ORDERS

The SPEAKER pro tempore (Mr. CHAMBLISS). Under the Speaker's announced policy of May 12, 1995, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina [Mr. BURR] is recognized for 5 minutes.

[Mr. BURR addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio [Ms. KAPTUR] is recognized for 5 minutes.

[Ms. KAPTUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana [Mr. BURTON] is recognized for 5 minutes.

[Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Missouri [Mr. VOLKMER] is recognized for 5 minutes.

[Mr. VOLKMER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan [Mr. SMITH] is recognized for 5 minutes.

[Mr. SMITH of Michigan addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from American Samoa [Mr. FALEOMAVAEGA] is recognized for 5 minutes.

Mr. FALEOMAVAEGA addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana [Mr. BUYER] is recognized for 5 minutes.

Mr. BUYER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mrs. COLLINS] is recognized for 5 minutes.

Mrs. COLLINS of Illinois addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. MICA] is recognized for 5 minutes.

Mr. MICA addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Nebraska [Mr. BEREUTER] is recognized for 5 minutes.

Mr. BEREUTER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. RIGGS] is recognized for 5 minutes.

Mr. RIGGS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. DORNAN] is recognized for 5 minutes.

Mr. DORNAN addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. FRELINGHUYSEN (at the request of Mr. ARMEY), for today after 5 p.m. and June 12.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to: