

April 4, 1996:

H.R. 2854. An act to modify the operation of certain agricultural programs.

April 9, 1996:

H.J. Res. 168. Joint resolution waiving certain enrollment requirements with respect to two bills of the One Hundred Fourth Congress.

H.R. 2969. An act to eliminate the Board of Tea Experts by repealing the Tea Importation Act of 1897.

April 24, 1996:

H.J. Res. 175. Joint resolution making further continuing appropriations for the fiscal year 1996, and for other purposes.

April 25, 1996:

H.R. 3034. An act to amend the Indian Self-Determination and Education Assistance Act to extend to 2 months the authority for promulgating regulations under the act.

April 26, 1996:

H.R. 3019. An act making appropriations for fiscal year 1996 to make further downpayment toward a balanced budget, and for other purposes.

April 30, 1996:

H.R. 255. An act to designate the Federal Justice Building in Miami, Florida, as the "James Lawrence King Federal Justice Building."

H.R. 869. An act to designate the Federal Building and United States courthouse located at 125 Market Street in Youngstown, Ohio, as the "Thomas D. Lambros Federal Building and United States Courthouse."

H.R. 1804. An act to designate the United States Post Office-Courthouse located at South 6th and Rogers Avenue, Fort Smith, Arkansas, as the "Judge Isaac C. Parker Federal Building."

H.R. 2415. An act to designate the United States Customs Administrative Building at the Ysleta/Zaragosa Port of Entry located at 797 South Zaragosa Road in El Paso, Texas, as the "Timothy C. McCaghren Customs Administrative Building."

H.R. 2556. An act to redesignate the Federal building located at 345 Middlefield Road in Menlo Park, California, and known as the Earth Sciences and Library Building, as the "Vincent E. McKelvey Federal Building."

May 6, 1996:

H.R. 3055. An act to amend section 326 of the Higher Education Act of 1965 to permit continued participation in Historically Black Graduate Professional Schools in the grant program authorized by that section.

SENATE

June 5, 1996:

The President has approved the following:

March 28, 1996:

S. 1494. An act to provide an extension for fiscal year 1996 for certain programs administered by the Secretary of Housing and Urban Development and the Secretary of Agriculture, and for other purposes.

April 1, 1996:

S.J. Res. 38. Joint resolution granting the consent of Congress to the Vermont-New Hampshire Interstate Public Water Supply Compact.

April 9, 1996:

S. 4. An act to give the President line item veto authority with respect to appropriations, new direct spending, and limited tax benefits.

April 24, 1996:

S. 735. An act to deter terrorism, provide justice for victims, provide for an effective death penalty, and for other purposes.

May 2, 1996:

S.J. Res. 53. Joint resolution making corrections to Public Law 104-134.

May 20, 1996:

S. 641. An act to amend the Public Health Service Act to revise and extend programs

established pursuant to the Ryan White Comprehensive AIDS Resources Emergency Act of 1990.

May 13, 1996:

H.R. 2024. An act to phase out the use of mercury in batteries and provide for the efficient and cost-effective collection and recycling or proper disposal of used nickel cadmium batteries, small sealed lead-acid batteries, and certain other batteries, and for other purposes.

May 15, 1996:

H.R. 2243. An act to amend the Trinity River Basin Fish and Wildlife Management Act of 1984, to extend for 3 years the availability of Moneys for the restoration of fish and wildlife in the Trinity River, and for other purposes.

May 16, 1996:

H.R. 2064. An act to grant the consent of Congress to an amendment of the Historic Chattahoochee Compact between the States of Alabama and Georgia.

May 17, 1996:

H.R. 2137. An act to amend the Violent Crime Control and Law Enforcement Act of 1994 to require the release of relevant information to protect the public from sexually violent offenders.

May 24, 1996:

H.R. 1743. An act to amend the Water Resources Research Act of 1984 to extend the authorizations of appropriations through fiscal year 2000, and for other purposes.

H.R. 1836. An act to authorize the Secretary of the Interior to acquire property in the town of East Hampton, Suffolk County, New York, for inclusion in the Amagansett National Wildlife Refuge.

May 29, 1996:

H.R. 2066. An act to amend the National School Lunch Act to provide greater flexibility to schools to meet the Dietary Guidelines for Americans under the school lunch and school breakfast programs.

June 3, 1996:

H.R. 1965. An act to reauthorize the Coastal Zone Management Act of 1972, and for other purposes.

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

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 1997

The Committee resumed its sitting.

Mr. SKEEN. Mr. Chairman, I yield 1½ minutes to the gentleman from Oregon [Mr. COOLEY].

Mr. COOLEY. Mr. Chairman, the Animal Damage Control Program represents one of the most efficient and cost-effective programs within the U.S. Department of Agriculture. It benefits the general public as well as the agricultural industry. Without animal damage control, studies have indicated that agriculture's annual losses would total in excess of \$1 billion. In 1994 in Oregon alone, the National Agricultural Statistics Service estimated that 4,275 sheep and 15,200 lambs were lost to predators.

What kind of signal are we sending to these ranchers? When urban residents are robbed of their private property, they rely on publicly financed services to regain their property. Is this a subsidy to private property owners? Is the taking of private property in the East

worthy of publicly financed services, while in the West it is not?

Mr. Chairman, ranchers are hard-working, tax-paying citizens who contribute mightily to their communities. And the Animal Damage Control Program is a tool they rely on to maintain a successful operation. It should be protected.

Oppose the DeFazio amendment.

Mr. Chairman, I oppose the DeFazio amendment, and I want to state that predator control is not only a western issue; it is an issue throughout the entire country. I think that we need to retain this program because we retained other predator control programs that pertain to our police protection. This is just another form of that, and we need it.

Mr. DEFAZIO. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. BROWN].

(Mr. BROWN of California asked and was given permission to revise and extend his remarks.)

Mr. BROWN of California. Mr. Chairman, I rise in strong support of the DeFazio amendment that would cut \$13.4 million from the fiscal year 1997 budget for animal damage control.

Mr. Chairman, I ask the indulgence of my good friend, the chairman of the committee, to understand my position because I hope I understand his. I have a small spread in California. I engage in predator control. I believe in predator control. I will not describe the type of predator control that I use, but I think it is reasonably effective.

What I am suggesting here in this effort to cut the budget for animal damage control is that we can do this job more effectively and in a more principled fashion than we do. I believe in strong cooperation on the part of the Government, the Department of Agriculture in this case, to help the farmers, ranchers, and other people of this country. I have demonstrated that time after time.

On the other hand, I do not believe in an unnecessary and less than beneficial subsidy that is being used to support this program.

As I think we all know, the Department of Agriculture is authorized to levy fees to support this program, but have never used that authority. We move in that direction in almost every other area in which we are providing services to a segment of the business community, and it is my view that we should be moving in this direction as far as the Animal Damage Control Program is concerned.

In previous legislation the Congress has indicated that there are preferred ways to carry out this operation and they do not require the extensive use of the kinds of traps, snares, poisons, aerial hunting, and other things that are going on today under the name of controlling animal damage. There are more effective ways, and the Congress has directed that these be used.

We have GAO reports that the ADC has been using these methods that I

have described in essentially all instances, despite the Department's written policies and procedures which call for preference to be given to nonlethal methods. Now I confess that I am an unabashed animal lover and like to protect their lives where possible, and I think in this case we can achieve the control of predator damage by the use of nonlethal technologies, and that we can do it cheaper and we can distribute the costs of doing this in a more equitable fashion by levying fees which would be levied on the people who get the benefit from the program.

Mr. SKEEN. Mr. Chairman, I yield 3 minutes to the gentlewoman from Wyoming [Mrs. CUBIN].

Mrs. CUBIN. Mr. Chairman, I rise in opposition to the pending amendment which would reduce funding to the Animal Damage Control Program.

Mr. Chairman, I think that this amendment is at the very best uninformed, and possibly at the worst, mean-spirited. When we talk about predators, we are not talking only about coyotes, we are talking about the wolf which has been introduced into Wyoming, into my State, which is an endangered species. The grizzly bear is an endangered species. Eagles and hawks, many of them are endangered species.

We do not have any right or any will to kill these predators, and we cannot legally do that to protect our livestock. I believe in predator control, but when an endangered animal, an endangered species kills some livestock, the only way that the owner of that livestock can get compensated is through the Animal Damage Control Program.

□ 1130

I would suggest that, if the gentleman who offered the amendment had a dog that was worth \$10,000 and this dog was in his very own yard, and there are bulls that are worth that much, much more than \$10,000, but this dog was in its very own yard and my dog went over and killed his dog, then he would say that I ought to be responsible to pay him back for the value of his dog. This is all this predator control program does.

If a species or if a predator, including an endangered species, kills a cow, a bull, a sheep, whatever, all we are asking is that a portion, a very small portion of the value of that livestock be given back to the owner of the livestock. That is what we are asking. This is not a subsidy. It is merely paying someone for a small portion of what is rightfully theirs.

The animal loss in the livestock industry is enormous, as the gentleman from Oregon [Mr. COOLEY] stated earlier. Aside from the livestock issues, there have also been wildlife losses, not just in Wyoming but in Oregon and across the western United States, due to predation. It is the livestock producers who, by controlling predators, who keep the burgeoning numbers of coyotes, foxes, mountain lions, and

brown bears down, who have provided the most protection for wildlife, which are preyed upon by these same destructive animals. The Animal Defense Control Program is the last line of defense for the wildlife that we enjoy and that everyone wants to preserve in our State.

If Members have any real interest in protecting wildlife, they will vote against this amendment, because the ranchers and the livestock growers are the ones who are helping control the predators, and they need the animal control money to enable them to do that.

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

The issue here is a subsidy, subsidy. That side of the aisle is consistently against government programs and subsidies except when it goes to their own parochial interests. This bill does nothing, nothing to prevent predator control by individuals, by counties, by States. As I said previously, when I was a county commissioner, we canceled the predator control program, walked away from the Federal match. They engaged in private predator control, and the losses did not go up. But that is the issue here.

Will we continue a \$13.4 million subsidy to a selected few of the livestock producers in the Western United States?

As I stated earlier, yes, the losses are largely due to predation. Almost 3 percent of the losses last year were due to predation. The other 97 percent were due to a number of causes, some of which are not preventable, like weather, but others which could be preventable with research, like respiratory problems, 27 percent; digestive problems, 25 percent. Fifty-two percent of the losses in this industry were due to respiratory and digestive problems.

Maybe we should invest this money in our veterinary schools. Maybe we should invest it in a vaccination program for livestock. I do not know. But there would be a heck of a lot better return than the 3 percent that was due to predation.

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

Mr. SKEEN. Mr. Chairman, I yield 4 minutes to the gentleman from Texas [Mr. BONILLA].

Mr. BONILLA. Mr. Chairman, I thank my friend from New Mexico for yielding time to me.

Mr. Chairman, I rise in strong opposition to the DeFazio amendment. It is bad news, it is bad news for agriculture. It is bad news for consumers. It is bad news for the environment. And it is bad news for America's children.

Here is the bad news the DeFazio amendment has for agriculture. In 1994, 520,000 sheep and lamb were killed by predators, direct losses to agriculture from wildlife damage totaled \$461 million. The DeFazio amendment says too bad, so sad, let us increase these losses.

The DeFazio amendment would cut animal damage control that is essen-

tial for the continued viability for many American ranches already battered by the drought. Let us not forget about the drought. The DeFazio amendment would punish these ranchers with increased losses. My friends, that is wrong, it is just plain wrong.

Here is the bad news the DeFazio amendment has for consumers. Higher grocery bills are on the way for millions of American families struggling to make ends meet. These higher costs are courtesy of the DeFazio amendment which will increase predator damage and reduce supply.

At the same time, ADC plays a vital role in the safety of millions of air travelers. By 1991, 635 airports participated in the ADC program. The importance was illuminated when a bird strike at Kennedy Airport in New York caused severe damage to a plane and, more importantly, threatened the lives of 300 passengers. The DeFazio amendment says so sad, too bad, we should accept this level of risk.

That is wrong. It is plain wrong. We should reject this amendment for that reason as well.

Here is bad news the DeFazio amendment has for the environment. ADC activities protect threatened and endangered species from predators. The black footed ferret, the San Joaquin kit fox, the desert tortoise, the Aleutian Canadian goose might well be extinct were it not for ADC protection from predators. The DeFazio amendment says too bad, so sad, we may as well terminate these species. That is wrong, plain wrong, another reason to reject this amendment.

Finally, and most troubling, the DeFazio amendment delivers bad news to America's children. Rabies is rearing its horrifying face across America. Between 1988 and 1992, rabies cases have doubled. New York reported 1,761 new cases, while 640 of my fellow Texans were treated for rabies. Predators also directly threaten our youth. In Los Angeles, a 3-year-old girl was killed in her front yard by a coyote. ADC fights these threats. The DeFazio amendment tells us not to worry about the predator threat. It is not important, too bad, so sad.

This is wrong. We should reject the DeFazio amendment. If we care about either agriculture, consumers, the environment or children, we should stand strong and reject the DeFazio amendment.

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

The gentleman should read the amendment before he rises with such extraordinary charges that the amendment will be responsible for the collapse of American democracy and the final victory of the totalitarian Soviet state, which I think was part of the statement there.

It has exceptions for human health and safety. It has exceptions for endangered or threatened species. The endangered, threatened species are often dealt with in a better manner by fish

and wildlife, who has a line item in their budget. All this does is eliminate a subsidy for a ridiculous anachronistic program first implemented in 1931 that has no discernible impact.

It has had an impact, and it is inadvertent, against nontarget species, poisoning of nontarget species, the destruction of predators which, like coyotes, in many cases prey on rodents or on groundhogs and gophers and things which cause problems with pastures and with horses breaking their legs. So the gentleman, by killing coyotes, is responsible for people whose horses have put their legs in gopher holes, broken them, fallen and then been killed.

I will not make that charge, but his charges were equally irresponsible.

This is an absurd subsidy to a selected few, a very small percentage of privileged western livestock producers. It is something that if they need, they can contract for themselves without a subsidy from the U.S. taxpayers to continue this ineffective and indiscriminate program.

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

Mr. SKEEN. Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. STENHOLM].

Mr. STENHOLM. Mr. Chairman, I rise in opposition to this amendment. I have listened attentively to much of the debate. I think that the proponent of this amendment is completely overlooking the reason why some of us believe that it is a good program.

If you have ever talked to a rancher that has lost 200, 300, 400, or 500 kid goats, baby goats just born, if you have talked to ranchers that have lost 200 or 300 or 400 baby lambs that have just been born, then the 3-percent figure in the Nation makes no sense whatsoever to that individual.

This program is designed to take care of a problem. When there is no problem, when you do not have an undue number of coyotes or other predator animals in an area, you do not have a program. But when you do have one, and it becomes a problem, then you have a need for a program, and it does not just benefit the rancher.

Living in my part of the country today, as my friend and neighbor from San Antonio just pointed out, rabies, we have a serious problem that we are trying to contain and control. It is spread by coyotes and bobcats. And it is a problem that is now coming within the city limits of some of our towns in the southern part of Texas.

This program, as it is designed, is designed to be a responsible way to deal with problems like this. So I would hope that my colleagues, both sides of the aisle, would not support this amendment. It does nothing other than create some tremendous economic problems for certain ranchers, and it is not just in the far west, it is in Texas, it is in Oklahoma, it is in New Mexico, in all areas in which you have for whatever reason a problem with predatory animals.

I would hope that Members would not support this amendment. I think the committee has done a very responsible job. They have had a difficult time with the amount of moneys available. They have put the moneys where they believe is in the best and highest priority. I believe that it is something that almost every one of us can find a way to justify and support.

The CHAIRMAN pro tempore (Mr. LINDER). The gentleman from New Mexico [Mr. SKEEN] has 3½ minutes remaining and has the right to close, and the gentleman from Oregon [Mr. DEFAZIO] has 2 minutes remaining.

Mr. DEFAZIO. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, we have had a lot of red herrings drug across the floor here. Rabies is not affected by this amendment. Human health and safety activities are totally exempt. Whether it is rabid animals or problem animals, those things can still be taken care of by ADC.

We have heard about environmental concerns from the other side. I am pleased to finally hear environmental concerns from the other side from the gentleman from Texas, maybe not a first but definitely somewhat unprecedented.

We accommodate endangered and threatened species in this amendment. It does not affect control efforts that deal with the preservation or safety of endangered or threatened species.

Quite simply, the amendment goes to the heart of this issue, which is, should the U.S. taxpayers subsidize a program of poisoning, baiting, killing, shooting from airplanes and others of predator species that may or may not be a particular problem, should they continue to avoid their mandate that they use other controls, should we spend \$14 million doing this? Maybe we should go out and have a Federal program to acquire dogs. We could buy Great Pyrenees, kuvasz, Komondors, Bouvier des Flandres. You can get a heck of a lot of them for \$14 million, and if they live 10 years, we would not have to spend any more money.

The issue is, many ranchers have become dependent upon practices that are not the most prudent practices, to have calving or birthing of lambs in areas that are problem areas without any herders present, without themselves being present.

As we saw earlier, actually more of the livestock die with calving problems, 17 percent, than with the predation problems, 3 percent. But in any case, they are saying we need this program. If they need the program, they should pay for it themselves. They should go to their county or State, have the county or State pay for it.

It is time to put this Federal anachronism to bed. At a time when we are cutting back on every other program here in order to get to a balanced budget, we should no longer subsidize the indiscriminate killing by the animal disease control people and we should

continue in the areas of health, safety, airports, and endangered species.

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

Let me say to the gentleman, who is existing in oblivious and euphoric unawareness, that is the closest I can come to being real kind about this issue, I understand his problem. He feels so good that he is cutting money.

Let me say to the gentleman, by cutting funding for the program there will not be any personnel available to take care of the health and safety issues that he is espousing because that is built into the program.

□ 1145

I ask the Members to vote "no" on this issue. Let us go back a little bit in history. We had the perfect answer to the kind of predatory control in the United States at one time with the formula known as 1080. It did not cost near as much as it does for the program that we have today because it took care of the problem. It was benign and it was species-specific. But, no, the animal rights people decided that this was a lethal method that was objectionable to them, and we did away with it, we banned, the use of 1080 in Western ranges.

So they came up with this program, and it is a participation program in which ranchers, farmers, and others put up money, that is to some degree, matching the Federal funding that is involved.

Yes, we want to cut the budget, and how, but we need to take care of a problem that is so onerous and so critical to those people who are livestock raisers and grazers. They are not being subsidized. They are paying their part because they have to spend enormous amounts of time checking traps and doing whatever they do to keep their predator control situation under absolute control.

So I say to the gentleman, "Get out of the county courthouse that you were sitting in so comfortable; get out there and live with a family for a little while that has a predator problem so that you actually understand what predator control means."

This program also assists those who have trouble going in and out of airports with huge flocks of birds that fly through jet engines and things of that kind. We are using a mental approach and a research approach to solving that problem; lethal means, are used as a last resort.

I agree with the gentleman that there ought to be a better system. We had a better system at one time, but it was not looked upon with great favor. In our great wisdom we banned it by executive decree, and I think that was a horrible mistake.

So I say to the gentleman and to those who are interested in this particular thing that I sure would appreciate a "no" vote because I think it has a devastating effect, and the gentleman, giving him all due credit, does not know what he is talking about.

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

Mr. PORTER. Mr. Chairman, I rise in strong support of this amendment. Currently, the Federal Government spends \$27 million on the Animal Damage Control Program. Various activities covered under this program include prevention of the spread of rabies and control of bird flocks near airports. I strongly support these programs because they protect human health and safety. However, there are other activities within the ADC program which serve as an unnecessary subsidy to livestock producers. By the Federal Government paying for predator control, livestock owners are not encouraged to deter predators and improve the protection of their herds. By leaving newborn calves and lambs in fields far from the protection of the barn, livestock producers are enticing animals such as wolves, mountain lions, and foxes to prey on this young stock. In addition, the Department of Agriculture is already authorized to levy fees for predator control services but will not do so while the Federal government continues to pay the bills.

By cutting this program in half, we will focus the remaining money on the more beneficial programs that protect human health and safety. In these times of budgetary constraints, supporting this amendment will save taxpayer money and provide an incentive for livestock producers to take responsibility for protecting their herds.

Mr. FAZIO of California. Mr. Chairman, I rise in opposition to the DeFazio amendment, which would reduce funds for the Animal Damage Control Program of the Animal and Plant Health Inspection Service.

This is not a well-known program, but it is an important program for California and the United States.

ADC's activities range from preventing bird strikes to aircraft at JFK International Airport in New York, to seeking solutions to the severe problem of canine rabies in Texas, to protecting threatened and endangered species in California.

In California, ADC has worked with the U.S. Fish and Wildlife Service to protect the western snowy plover, the California clapper rail, the desert tortoise, and the California least tern.

In addition, ADC works with ranchers and grazers to prevent losses due to predation.

Losses of sheep and goats due to predation averages approximately \$24 million a year. Cattle losses due to predation average approximately \$40 million annually. In the absence of an operational ADC program, these losses will increase dramatically.

The effect of the DeFazio amendment would be significant and devastating. Seven ADC States offices would be closed, including the gentleman's home State and six other Western States. Twenty ADC district offices will close from Wisconsin to my home State of California. Approximately 200 field positions would be subject to reduction-in-force. Matching cooperative would decrease by 50 percent—amounting to a \$10 million loss in cooperative funding.

In short, this is an effective program throughout the United States, and this amendment would severely reduce its effectiveness.

I urge my colleagues to oppose the DeFazio amendment.

The CHAIRMAN pro tempore (Mr. LINDER). The question is on the amend-

ment offered by the gentleman from Oregon [Mr. DEFAZIO].

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

RECORDED VOTE

Mr. DEFAZIO. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 139, noes 279, not voting 16, as follows:

[Roll No. 230]

AYES—139

Abercrombie	Gilchrest	Obey
Ackerman	Goss	Oliver
Andrews	Gutierrez	Owens
Barrett (WI)	Gutknecht	Payne (NJ)
Becerra	Hall (OH)	Pelosi
Beilenson	Harman	Petri
Berman	Hinchev	Porter
Bilbray	Hoekstra	Rahall
Bilirakis	Jackson (IL)	Ramstad
Blumenauer	Johnston	Rangel
Blute	Kelly	Reed
Bonior	Kennedy (MA)	Rivers
Borski	Kennedy (RI)	Roemer
Brown (CA)	Kennelly	Rohrabacher
Brown (OH)	Kleczka	Roth
Bryant (TX)	Klink	Roukema
Cardin	Klug	Roybal-Allard
Castle	LaFalce	Royce
Chabot	Lantos	Sabo
Chrysler	Levin	Sanders
Coburn	Lewis (GA)	Sanford
Cox	Lipinski	Scarborough
Coyne	Lowe	Schroeder
Cummings	Luther	Schumer
DeFazio	Maloney	Sensenbrenner
DeLauro	Manzullo	Serrano
Dellums	Markey	Shays
Deutsch	Matsui	Slaughter
Dingell	McCarthy	Smith (NJ)
Dixon	McDermott	Stark
Doggett	McHale	Stearns
Doyle	McKinney	Stockman
Duncan	McNulty	Studds
Ehlers	Meehan	Stupak
Engel	Meek	Taylor (MS)
English	Menendez	Torres
Eshoo	Meyers	Towns
Farr	Millender-	Upton
Fawell	McDonald	Velazquez
Filner	Miller (CA)	Vento
Flanagan	Miller (FL)	Wamp
Foglietta	Mink	Waters
Fox	Moakley	Waxman
Frank (MA)	Morella	Woolsey
Furse	Nadler	Yates
Gejdenson	Neal	Zimmer
Gephardt	Neumann	

NOES—279

Allard	Bunning	Davis
Archer	Burr	de la Garza
Armey	Burton	Deal
Bachus	Buyer	DeLay
Baesler	Callahan	Diaz-Balart
Baker (CA)	Camp	Dickey
Baker (LA)	Campbell	Dicks
Baldacci	Canady	Dooley
Ballenger	Chambliss	Doolittle
Barcia	Chenoweth	Dornan
Barr	Christensen	Dreier
Barrett (NE)	Clay	Dunn
Bartlett	Clayton	Durbin
Barton	Clement	Edwards
Bateman	Clinger	Ehrlich
Bentsen	Coble	Ensign
Bereuter	Coleman	Evans
Bevill	Collins (GA)	Everett
Bishop	Collins (IL)	Ewing
Bliley	Collins (MI)	Fattah
Boehlert	Combest	Fazio
Boehner	Condit	Fields (LA)
Bonilla	Cooley	Fields (TX)
Bono	Costello	Flake
Boucher	Cramer	Foley
Brewster	Crane	Forbes
Browder	Crapo	Ford
Brown (FL)	Creameans	Fowler
Brownback	Cubin	Franks (CT)
Bryant (TN)	Cunningham	Franks (NJ)
Bunn	Danner	Frisa

Frost	Latham	Rush
Funderburk	LaTourette	Salmon
Gallely	Laughlin	Sawyer
Ganske	Lazio	Saxton
Gekas	Leach	Schaefer
Geren	Lewis (KY)	Scott
Gibbons	Lightfoot	Seastrand
Gilman	Linder	Shadegg
Gonzalez	Livingston	Shaw
Goodlatte	LoBiondo	Shuster
Goodling	Lofgren	Sisisky
Gordon	Longley	Skaggs
Graham	Lucas	Skeen
Green (TX)	Manton	Skelton
Greene (UT)	Martinez	Smith (MI)
Greenwood	Mascara	Smith (TX)
Gunderson	McCollum	Smith (WA)
Hall (TX)	McCrery	Solomon
Hamilton	McHugh	Souder
Hancock	McInnis	Spence
Hansen	McIntosh	Spratt
Hastert	McKeon	Stenholm
Hastings (FL)	Metcalf	Stokes
Hastings (WA)	Mica	Stump
Hayes	Minge	Talent
Hayworth	Molinari	Tanner
Hefley	Mollohan	Tate
Hefner	Montgomery	Tauzin
Heineman	Moorhead	Taylor (NC)
Herger	Murtha	Tejeda
Hillary	Myers	Thomas
Hilliard	Myrick	Thompson
Hobson	Nethercutt	Thornberry
Hoke	Ney	Thornton
Holden	Norwood	Thurman
Horn	Nussle	Tiahrt
Hostettler	Oberstar	Torkildsen
Houghton	Ortiz	Torricelli
Hoyer	Orton	Traficant
Hunter	Oxley	Viscosky
Hutchinson	Packard	Volkmer
Hyde	Pallone	Vucanovich
Istook	Parker	Walker
Jackson-Lee	Pastor	Walsh
(TX)	Paxon	Ward
Jacobs	Payne (VA)	Watt (NC)
Jefferson	Peterson (FL)	Watts (OK)
Johnson (CT)	Peterson (MN)	Weldon (FL)
Johnson (SD)	Pickett	Weldon (PA)
Johnson, E. B.	Pombo	Weller
Johnson, Sam	Pomeroy	White
Jones	Portman	Whitfield
Kanjorski	Poshard	Wicker
Kaptur	Quillen	Williams
Kasich	Quinn	Wilson
Kildee	Radanovich	Wise
Kim	Regula	Wolf
King	Richardson	Wynn
Kingston	Riggs	Young (AK)
Knollenberg	Roberts	Young (FL)
Kolbe	Rogers	Zeliff
LaHood	Ros-Lehtinen	
Largent	Rose	

NOT VOTING—16

Bass	Frelinghuysen	McDade
Calvert	Gillmor	Moran
Chapman	Inglis	Pryce
Clyburn	Lewis (CA)	Schiff
Conyers	Lincoln	
Emerson	Martini	

□ 1207

Messrs. KILDEE, FATTAH, and ROSE changed their vote from "aye" to "no."

Mrs. KENNELLY, Mrs. MEEK of Florida, and Messrs. COX of California, BILBRAY, SCHUMER, LEWIS of Georgia, and NEUMANN changed their vote from "no" to "aye."

So the amendment was rejected. The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. MORAN. Mr. Chairman, during rollcall vote No. 230 on H.R. 3603 I was unavoidably detained. Had I been present, I would have voted "aye."

PERSONAL EXPLANATION

Mr. MARTINI. Mr. Chairman, this morning during rollcall votes 229 and 230 I was unavoidably detained. Had I been present, I

would have voted "aye" on rollcall vote No. 229, and "nay" on rollcall vote No. 230.

AMENDMENT OFFERED BY MR. KENNEDY OF MASSACHUSETTS

Mr. KENNEDY of Massachusetts. Mr. Chairman, I offer amendment No. 1.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. KENNEDY of Massachusetts:

At the end of the bill (page 69, after line 5), insert the following new section:

SEC. . . None of the funds appropriated or otherwise made available by this Act for market access activities under section 203 of the Agricultural Trade Act of 1978 (7 U.S.C. 5623), or made available for the salaries of employees of the Department of Agriculture who provide assistance under such section, may be used to provide assistance to eligible trade organizations (as defined in such section) to promote the sale or export of alcohol or alcoholic beverages.

Mr. SKEEN. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 10 minutes, and that the time be equally divided.

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

Mr. KENNEDY of Massachusetts. Mr. Chairman, reserving the right to object, I would ask the gentleman, did he request 10 minutes?

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

Mr. KENNEDY of Massachusetts. I yield to the gentleman from New Mexico.

Mr. SKEEN. Yes, 10 minutes.

Mr. KENNEDY of Massachusetts. Five and five?

Mr. SKEEN. Five and five, yes.

Mr. KENNEDY of Massachusetts. Mr. Chairman, that is fine with me, and I withdraw my reservation of objection.

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

There was no objection.

The CHAIRMAN pro tempore. The gentleman from Massachusetts [Mr. KENNEDY] and the gentleman from New Mexico [Mr. SKEEN] will each be recognized for 5 minutes.

The Chair recognizes the gentleman from Massachusetts [Mr. KENNEDY].

Mr. KENNEDY of Massachusetts. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I think many people that saw the news yesterday that Seagrams Liquor Co. is now going to begin advertising directly hard liquor on television, were shocked at that development.

In a country that currently is involved in a situation in the United States of America where the No. 1 killer of people under the age of 24 in this country is alcohol and alcohol-related deaths, when we spend \$15 billion a year of taxpayer funds to fight the war on drugs, and yet we have the singly most abused drug in this country, alcohol, now killing many, many more

Americans than all other drugs combined, we have a tragedy on our hands.

We have spent time and time again debating on this floor the need to cut back programs that provide for the education of our children, that provide for the research and development of our country, that provide for the health care of our senior citizens. But in this bill is a hidden subsidy worth millions and millions of dollars to advertise some of the most profitable alcoholic beverages abroad. It is a shame and it is a scam. It ought to come to a stop.

In this Market Access Program, we will be spending millions of dollars to advertise Ernest and Julio Gallo, the richest winemakers in the world, who receive \$25 million worth of United States taxpayer money to advertise its wine and brandy in Thailand, the Philippines, Canada, and England. Jim Beam got over \$2.5 million to push its whiskey abroad. Other whiskey giants like Hiram Walker and Brown-Forman profited from the Market Access Program.

The MAP program adds insult to injury by asking the taxpayers to foot the bill of the world's largest foreign alcohol giants. We actually spend money subsidizing Seagrams, the very company that has gone on television yesterday to advertise its hard liquor, we are now subsidizing that Canadian company with United States taxpayer dollars to advertise their products abroad.

This is a scandal that ought to come to an end. Mr. Chairman, I would just suggest to the Congress of the United States that it is about time that if we are going to stand up to the senior citizens and tell them we spend too much money on their health care, if we are going to stand up to kids and tell them we spend too much money on their education, if we are going to stand up to the poor and vulnerable and tell them we spend too much money on poverty programs, then we can stand up to the biggest alcohol producers, the biggest winemakers in the world and tell them we are sick and tired of using taxpayers' money to subsidize their profits.

□ 1215

If they want to advertise their alcohol products abroad, let them do it with their own money. Let them stay out of the taxpayer's back pocket.

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

Mr. SKEEN. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. FAZIO].

Mr. FAZIO of California. I thank the gentleman for yielding time.

Mr. Chairman, let me see if I can shed some light on this subject. We are talking about helping export American agricultural products under this program. I am specifically talking about small wine grape growers, most of whom market their products through several large wineries. This is an amendment to help small agriculture.

Remember, the European Union spends more on the export promotion of wine than the United States spends promoting all of our agricultural products. They do a great deal to help their growers promote their foreign sales. The European Community wine industries are heavily subsidized to the tune of \$1.5 billion, which includes \$90 million alone for export promotion. That is the total amount provided for all of agriculture in this bill, if it is not reduced or eliminated.

Other countries do even more than the European Union. The Italian Government through its trade commission is funding an additional \$25 million for Italian wines alone. So when it comes to the wine industry, the MAP program that we are now debating is a program that helps small business, not visit the giant wineries, not only the names that we have heard bandied about here on the floor.

In fact in 1994, for example, 101 wineries participated and 89 of them were small wineries. So there is no question that this is not a subsidy simply to big agriculture or big vintners.

We are not talking about people who are purveying distilled spirits. This is wine, a product that we lead not only this hemisphere but this world in the production of a quality product. MAP promotes independent businesses. It is important that 90 percent of the small wine grape growers in this country be given an opportunity to be part of an export promotion program. This amendment would put an end to it.

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

Mr. FAZIO of California. I yield to the gentleman from Massachusetts.

Mr. KENNEDY of Massachusetts. Mr. Chairman, I would just like to suggest to the gentleman that if he reads the fine print of this legislation, what he will find is there is a big gap. The gap says that they can put money through the association. It is through those associations that then launder the taxpayers' dollars that then go into the pockets of the biggest wineries in the United States. Ernest and Julio, et cetera.

Mr. FAZIO of California. If I could reclaim my time, the people who are involved in this program are putting up half the money. This is not all Government money. Half the money comes from the private sector, both from the wine grape growers through their association and those who make wine and help market the product.

This is a program that works for all elements of one of our most successful agricultural industries. If we want to be successful in getting down our trade imbalance, if we want to help small growers, we ought to continue to support this very modest program, which is all we can afford at the present time.

Mr. SKEEN. Mr. Chairman, I yield 1 minute to the gentleman from Washington [Mr. NETHERCUTT].

Mr. NETHERCUTT. I thank the chairman of the subcommittee for yielding time.

Mr. Chairman, I think we have to keep in mind in this debate with respect to the Kennedy amendment that this program helps small farmers. This helps small farmers out in Washington State who, I might say to my friend from California, make the best wine in the world.

But also I want the gentleman from Massachusetts to understand that the USDA directs the Market Access Program to small businesses, small farms, small wineries. I do not think we want to cede our industry to the European winemakers.

That is what we are really doing here. We are developing a program that allows our Government to contribute some money to competition, unfair competition in my judgment, from foreign governments who assist their winemakers for shelf space. That is really what we are doing. What we are doing is developing a program that allows our products in this country to have some shelf space in foreign markets. That means jobs to Americans. That means jobs to people in my district, small wineries. I urge the rejection of this amendment.

Mr. KENNEDY of Massachusetts. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I think it is interesting to note that people are talking about how this program assists small vintners. I would anticipate after a vote on this amendment, Mr. Chairman, offering a follow-up amendment that would simply limit the subsidy program to go only to small vintners.

As long as the gentlemen that talked so heartily about the need to assist those small vintners would put their vote where their mouth is, I think we might be able to work out a compromise on the underlying issue about whether or not the program should go directly to those small businesses.

My true feeling, and I know that the gentleman from Utah [Mr. HANSEN] has offered this amendment with me in the past, I wish he was here—I do not think he expected the amendment to come up quite so quickly—is that we do not believe that the U.S. Government ought to be involved in subsidizing alcohol products abroad. That is the fundamental question that is involved with this debate. It is fundamentally, I think, wrong for us to tell people that we do not have money in the coffers of the Federal Government to provide for the health care and the education of our people, but we do have money in the coffers to be able to subsidize alcohol advertising for some of the richest companies in America abroad.

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

Mr. SKEEN. Mr. Chairman, I yield 30 seconds to the gentleman from California [Mr. FARR].

Mr. FARR of California. Mr. Chairman, I say to the last speaker, Wake up.

We turn on the television set, we see Colombia's Juan Valdez selling us cof-

fee. We see Mexico selling us Corona beer. This is a global market. If we want people to buy American, then we have to tell them what is American.

This is a program that requires that the Government match by private funds to advertise and to promote these products abroad. If we are indeed going to sell our products grown in America abroad, we are going to have to maintain this program. I urge a "no" vote on the amendment.

Mr. KENNEDY of Massachusetts. Mr. Chairman, how much time remains on each side?

The CHAIRMAN pro tempore (Mr. LINDER). The gentleman from Massachusetts and the gentleman from New Mexico each have 30 seconds remaining, and the gentleman from New Mexico [Mr. SKEEN] has the right to close.

Mr. KENNEDY of Massachusetts. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I cannot believe that we are hearing Members of Congress that normally speak out so strongly against corporate subsidies and say that is how we ought to balance the budget, all of a sudden switching when it comes to a corporate subsidy that happens to go to the wine industry.

Let us listen to Edward Nervo of the Famiglia Nervo Vines and Wines in Sonoma County, CA, who has written to me and said, "With corporate welfare programs like these, no wonder the biggies get bigger and the small fry end up in the frying pan."

Mr. SKEEN. Mr. Chairman, I yield the balance of my time to the gentleman from California [Mr. RIGGS].

Mr. RIGGS. I thank my distinguished chairman for yielding time.

Mr. Chairman, let me just say, first of all, the 5 largest recipients of market access promotion funds purchase over 90 percent of their grapes from small independent grape growers. This is a program that is working. It is a public-private partnership that has been improved by the Congress over the last few years. I just want to remind my colleagues that this same amendment went down to defeat in this House last year on a vote of 268 to 130. The American wine industry and the farmers who depend on that industry need our help to again defeat the Kennedy amendment.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Massachusetts [Mr. KENNEDY].

The amendment was rejected.

AMENDMENT OFFERED BY MR. KENNEDY OF MASSACHUSETTS

Mr. KENNEDY of Massachusetts. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KENNEDY of Massachusetts: At the end of the bill (page 69, after line 5), insert the following new section:

SEC. . None of the funds appropriated or otherwise made available by this Act for market access activities under section 203 of the Agricultural Trade Act of 1978 (7 U.S.C. 5623), or made available for the salaries of

employees of the Department of Agriculture who provide assistance under such section, may be used to provide assistance to eligible trade organizations (as defined in such section) to promote the sale or export of alcohol or alcoholic beverages unless it is made known to the Federal official having authority to obligate or expend such funds the the promotion activities benefit a small-business concern.

Mr. SKEEN. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 10 minutes and that the time be equally divided.

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

There was no objection.

The CHAIRMAN pro tempore. The gentleman from Massachusetts [Mr. KENNEDY] and the gentleman from New Mexico [Mr. SKEEN] will each control 5 minutes.

The Chair recognizes the gentleman from Massachusetts [Mr. KENNEDY].

Mr. KENNEDY of Massachusetts. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I want to commend the chairman of the committee along with my good friend from Illinois, Mr. DURBIN, for some language that they inserted in the ag bill last year as a result of the same debate that just took place on the House floor. I shall read what those changes are:

The funds shall not be used to provide direct assistance to any nonprofit corporation that is not recognized as a small business concern described in section A of the Small Business Act. Secondly, a cooperative; or, third, an association described in the first section of the Act.

Essentially what that is attempting to do is to reform this act so that the big subsidies do not go to the big companies, Seagrams, Ernest and Julio Gallo and the other major vintners and major producers of alcohol that have, I think, very unfairly skimmed money from the American taxpayer while they are making millions and millions of dollars in their exports.

The language of this amendment very simply suggests that while what is really occurring is through this trade association loophole, the money is now being funneled through to trade associations and then the trade associations redistribute it to the very big companies.

I had a long talk last evening with the Department of Agriculture about this loophole that is contained in the law. All that this amendment would do would be to extend the small business criteria to any funds that get funneled through the trade association to make sure that the concerns of my good friend from California, who is so very worried about those small vintners, will actually make sure the money goes to those small vintners.

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

Mr. SKEEN. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. DOOLEY].

Mr. DOOLEY. Mr. Chairman, I rise in strong opposition to this amendment.

What the market Assistance Program is all about is trying to ensure that U.S. farmers get their fair share of expanding export markets. What the gentleman from Massachusetts [Mr. KENNEDY] is trying to do now is define a different criteria and that we try to say that only small businesses are going to be involved in achieving those expanded markets.

As a farmer and as any grape farmer or wine grape grower out there will say, what is important is to increase the sales of wine. What is important is to assure that U.S. wineries have a fair playing field when they take on the European Union and the 6-to-1 advantage that they have in export promotion over U.S. wineries.

What we would be doing in this case if we limit the money on where it goes, we would be saying to that small grower who is growing grapes that is selling them to a larger winery that they are not ever going to benefit from the Market Assistance Program. We would be saying to that winery out there and that winery who might be owned by an individual that might be farming 10,000 acres but has his own winery that he is going to benefit from the Market Assistance Program. That is not fair.

What we are trying to do is to ensure that that average wine grape grower in California, or other parts of the country, that grows less than 100 acres of wine that they will have a tool that will ensure that U.S. wine will be at a competitive advantage or have a fair playing field when we take on the winemakers and the wine grape growers of the European Union.

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

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

Mr. KENNEDY of Massachusetts. Does the gentleman really believe that we should be providing Government tax subsidies to the richest companies in the U.S. regardless of what their profit lines are?

Mr. DOOLEY. Reclaiming my time, what the issue is is that the U.S. farmer have fair access. In a perfect world if the European Union were not spending six times the amount that the U.S. Government was to provide exports, then we would not need this program. But if we want to ensure that the U.S. farmer has a level playing field, this Government needs to stand behind them, and that is what the Market Assistance Program does.

Mr. KENNEDY of Massachusetts. May I inquire of the Chair how much time remains on each side?

The CHAIRMAN pro tempore. The gentleman from Massachusetts [Mr. KENNEDY] has 3 minutes remaining and the gentleman from New Mexico [Mr. SKEEN] has 2 minutes remaining.

Mr. KENNEDY of Massachusetts. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would just like to suggest that I do think that we ought

to have some kind of test in this program as to whether or not companies who are making tens of millions of dollars worth of profit and then coming in and reaching into the back pocket of the taxpayer and asking us to subsidize them when they are already making all these dollars.

□ 1230

The real question is whether we should be promoting alcohol products abroad to begin with, but if we are to do it and we have to do it because the Europeans are subsidizing their industry, I say fine, but let us not go out and needlessly line the pockets of companies that are already making tens of millions of dollars' worth of profits.

Come on, Congress of the United States, stand up to the wine lobby. That is what this is all about. Just for once say to the wine lobby, look, we will accept that we are going to help out the little guy, but let us not go out there and line the pockets of the richest wine companies.

These are people that for all the time have gone out and gotten all the farm workers picking the grapes and all the rest of it. They make plenty of profits. Let us stand up to them, for crying out loud. Have a little heart, have a little soul, and stand up to the big boys every once in a while. It is good for the soul.

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

Mr. SKEEN. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. FAZIO].

Mr. FAZIO of California. Mr. Chairman, first of all, I would say to the gentleman from Massachusetts that the Department of Agriculture and the Department of Health and Human Services say that a little wine in each individuals' daily diet is healthy for them. So exporting wine is something we should not be ashamed of. We should be proud of it, and we should be out there competing with the rest of the world.

But the point the gentleman does not get is that we are talking about small growers who own 30, 40, or 50 acres. They are not the ones who make wine and send it overseas. They have to have a winery buy their product. We are trying to help, as the gentleman from California [Mr. RIGGS] said, 90 percent of the small grape growers in this country to find a home for their product. They will find it in many cases domestically but we are expanding our international markets, and we are doing it with a cooperative program that is shared between those who profit and the taxpayer who profits even more by a modest investment in terms of income producing tax paying jobs.

And I can tell the gentleman, in this MAP Program we get back \$16 in agricultural exports for every dollar that we spend. So please understand we are talking about small farmers here and a benefit for taxpayers as well.

Mr. KENNEDY of Massachusetts. Mr. Chairman, how much time do I have remaining?

The CHAIRMAN pro tempore (Mr. LINDER). The gentleman from Massachusetts [Mr. KENNEDY] has 2 minutes remaining and the gentleman from new Mexico [Mr. SKEEN] has 2 minutes remaining.

Mr. KENNEDY of Massachusetts. Mr. Chairman, I want to address my comments to my good friend from California, Mr. FAZIO. The truth is that all this amendment does is limit it to small businesses. All we are saying is if the gentleman is truly concerned about small businesses and the small vendor, then he should be supportive of this amendment.

This amendment simply says that the trade association funding can only go to businesses that will qualify under the Small Business Act as small business. Instead of the big boys, the little guy.

Mr. FAZIO of California. Mr. Chairman, will the gentleman yield?

Mr. KENNEDY of Massachusetts. I yield to the gentleman from California.

Mr. FAZIO of California. Mr. Chairman, I would note, as the gentleman from California [Mr. DOOLEY] said, a winery may be called a small business but 90 percent of the grapes grown by farmers move through the five largest wineries. So the gentleman is not helping the grower if he makes this distinction. He is trying to do something that is a worthy cause, but he is missing by a mile.

Mr. KENNEDY of Massachusetts. Mr. Chairman, reclaiming my time, the truth of the matter is, if these people are part of a trade association they still have access. What this bill does is limit the ability of the trade associations to go about providing big subsidies to the biggest wine companies. It does not, in fact, stop us from providing small businesses with the ability to gain access to the program.

I think the whole program is crazy, but I think it is even crazier to suggest that what we will do is continue to skip a loophole open that provides all this money to go to the biggest companies in the country.

Mr. FAZIO of California. Mr. Chairman, if the gentleman will continue to yield, the craziest thing we could do would be to eliminate 90 percent of the wine grape growers, who are small farmers. They do not make wine and do not export it. They need private sector help to do it, and this program provides the partnership to do it.

Mr. KENNEDY of Massachusetts. Mr. Chairman, the truth of the matter is, this will have absolutely no impact. And if the gentleman talks to people seriously about the impact of this whole MAP program, it will not have a penny's worth of difference in terms of what the actual sales are.

The gentleman and I both know we can produce wine. People want to buy the wine and will produce the wine, and it has nothing to do with the small amount of subsidies that end up going into this program. It is the principle of the fact that we are providing taxpayer

dollars, millions and millions of dollars worth of taxpayer funds, that go into the back pocket of the biggest companies. That is a scam and a scandal that ought to be dealt with.

Mr. SKEEN. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. RIGGS], the remainder of my time.

Mr. RIGGS. Mr. Chairman, I wish the gentleman from Massachusetts could devote so much time and energy to helping us address the competitive and trade disadvantage that our wine exports have against Chilean and European wines.

But the gentleman was correct when he said last year in conference we restructured the MPP, now known as the Market Access Program, to restrict direct participation of for-profit corporations that are not small businesses while requiring a direct match from any small business that participates in this program. These reforms should silence this unwarranted criticism of the Market Access Program.

The accusations that corporations are advertising products at taxpayers expense are simply not true. The primary emphasis of this program, as has been pointed out repeatedly over the last few minutes of debate, is toward the small family farmer. Historically, 60 percent of market access promotion funds have gone to generic advertising; the remaining 40 percent is allocated to brand promotion, with priority again given to small entities.

I quote from the act: In addition, a sizable number of large corporations receiving market access promotion moneys are actually grower cooperatives. All benefits those organizations derive from brand assistance under this program are directly returned to their grower members, who themselves tend to be small and medium sized operations.

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

Mr. RIGGS. I yield to the gentleman from Kentucky.

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

Mr. WARD. Mr. Chairman, I rise in opposition to the amendment.

Mr. RIGGS. Mr. Chairman, I wanted to conclude by saying the Market Access Program is not corporate welfare; it is a valuable resource for America's small farmers to compete in highly restrictive foreign markets. In fact, this program is pro-trade, pro-growth, and pro-jobs.

Ms. WOOLSEY. Mr. Chairman, although I have the utmost respect for the gentleman from Massachusetts, unfortunately, I must rise in strong opposition to this amendment.

I must do so because this amendment directly and unfairly targets my constituents in Sonoma and Marin Counties, CA, who produce some of the world's finest wine. If this amendment passes, however, their world-famous wine would no longer be able to compete in the world market.

This amendment would devastate the small wine producers in my district, who rely upon

Federal export assistance to enter and compete in the global marketplace.

Unlike Europe and South America, U.S. wine producers receive no production subsidies whatsoever. Furthermore, our competitors outspend the United States in export subsidies by more than 6 to 1!

Mr. Chairman, small California wineries cannot compete in such a lopsided marketplace without some assistance. And let there be no mistake, this amendment targets small, family-owned businesses—89 out of 101 wineries that participate in the Market Access Program are small wineries.

The Kennedy amendment takes this critical assistance away from small wine producers and, in doing so, it takes away jobs; it takes away trade; and, it takes away fairness.

Mr. Chairman, we should be working today to help export California wine, Not California's jobs. Vote "no" on the Kennedy amendment.

The CHAIRMAN pro tempore. All time for debate has expired.

The question is on the amendment offered by the gentleman from Massachusetts [Mr. KENNEDY].

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. KENNEDY of Massachusetts. Mr. Chairman, I demand a recorded vote, and pending that, I make a point of order that a quorum is not present.

The CHAIRMAN pro tempore. Pursuant to the rule, further proceedings on the amendment offered by the gentleman from Massachusetts [Mr. KENNEDY] will be postponed.

The point of no quorum is considered withdrawn.

The Chairman pro tempore. Are there further amendments?

AMENDMENT OFFERED BY MR. KOLBE

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

The Clerk read as follows:

Amendment offered by Mr. KOLBE: At the appropriate place in the bill, insert the following new section:

SEC. . None of the funds made available in this Act may be used to administer a peanut program that maintains a season average farmers stock price for the 1997 crop of quota peanuts in excess of \$640 per ton.

Mr. SKEEN. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 20 minutes with the time being equally divided and to roll the vote.

Mrs. CLAYTON. Mr. Chairman, I object.

The CHAIRMAN pro tempore. Objection is heard.

The gentleman from Arizona [Mr. KOLBE] is recognized for 5 minutes.

Mr. KOLBE. Mr. Chairman, I rise to offer this amendment with the gentleman from New York [Mrs. LOWEY]. It is an amendment that simply carries out the intent of Congress on the peanut program. The farm bill, the Freedom to Farm Act, made some extremely modest changes to the peanut program. The change that was supposed to benefit consumers was a 10 percent reduction in support prices from \$678 to \$610. This amendment

would ensure that the price of quota peanuts would actually be \$610 per ton, as approved in the recently passed farm bill.

Now, why is this amendment necessary, if all we are doing is seeking to implement what the farm bill said we were going to do? It is necessary because the Secretary of Agriculture, not without reason, since he represents agricultural interests, has chosen to administer this program in a way that makes sure that peanut prices will continue to stay at previous, much higher levels.

The Secretary was able to do this, to keep the peanut prices high, by announcing a national peanut quota production level that is going to be at least 100,000 tons less than the projected domestic demand. In other words, the Government is creating an artificial shortage.

Mr. Chairman, what we have is a Government-created artificial shortage of peanuts and, thus, a consequent higher price for peanuts. That is contrary clearly to what we intended to do in the farm bill.

At a time when we have a peanut industry that is certainly in a serious state of decline, with peanut consumption dramatically declining over the last 5 years, it does not seem to me that we can afford to let bad government policy excessively inflate the prices for domestic consumers. Inflate the prices, I might add, to what is now double, double, the export price. The domestic price of peanuts is double what our producers get when they sell it into the export markets. In other words, we have this artificially created price.

Even at \$610 a ton, which we are not going to get to because of this reduction in the quota, U.S. peanuts are 33 percent above the world price of \$350 per ton.

So this amendment only ensures that the administration will carry out the will of Congress to reduce the price of quota peanuts by 10 percent, which is what we though we were getting when we voted for the Freedom to Farm Act.

If some would question whether or not there is a precedent in this, I would point out that the Committee on Appropriations has already adopted an amendment which places a price cap on the price of raw cane sugar at 117.5 percent of the loan rate. It was done for the exact same reason we are talking about here today. This cap was necessary in order to ensure that the price of sugar did not rise too far.

In both cases, the Department of Agriculture has created this false shortage of a very basic commodity that we use.

Mr. Chairman, the bottom line here is very simple. We thought, we intended, and we wanted to get market reform when we voted for the Freedom to Farm Act. We got the least in the commodity programs, but we thought we were getting something with a 10-percent reduction in the target price.

However because of the other aspects of this, the quota, the Secretary of Agriculture has been able to undermine any kind of a price reduction by setting a quota that is below what the market can consume.

So all we are seeking to do is to make sure that the market works; that the Freedom to Farm Act works exactly the way it is intended. We are making no basic change to the program.

And I might to also add, Mr. Chairman, that this is a fix that can only be good for 1 year. This is an appropriation bill for 1 year. It can only work for 1 year, that is we can try to make the farm program work they way we intended in the Freedom to Farm Act for 1 year any one year only. If everybody really want to find a way to make this work over the course of the next 7 years of the freedom to farm legislation, then we can find a way to do that. But this is only to be sure that in the calendar year 1997 it is already too late for 1996—that we can have a price for peanuts that does not mean that consumers will pay more for their peanut butter, more for their candy bars, more for everything that they buy that has peanuts in them.

Mr. Chairman, I strongly urge my colleagues to support this amendment.

Mr. ROSE. Mr. Chairman, I rise to speak in opposition to the amendment.

Mr. Chairman, I am not sure, and I would like to engage my colleague in a colloquy. I do not believe he understands how the peanut program works. In the first place, \$610 was not a ceiling. It is a floor. In other words, the Department of Agriculture price support level for peanuts is \$610. The gentleman is trying to fix the price of peanuts at \$610.

The "Dear Colleague" letter that when out from about 15 institutions in this town is a flagrant violation of the Federal antitrust laws against price fixing. I have never seen anything to beat it.

Does the gentleman actually believe that if the price of peanuts is \$610 a ton that the people who buy those peanuts are going to pass the savings on to the American housewife?

□ 1245

Mr. Chairman, I would ask the gentleman if he really thinks that?

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

Mr. ROSE. I yield to the gentleman from Arizona.

Mr. KOLBE. Mr. Chairman, the answer is "yes." I guess I have a naive belief in market systems that there will be some passing on of that price. And if the gentleman is correct about this being the floor, then why do we have to lower the quota 100,000 below the level of consumption?

Mr. ROSE. Mr. Chairman, reclaiming my time, the purpose of the program is to provide a safety net for the thousands and thousands of farm families across this country who raise peanuts.

Mr. Chairman, \$610 is way below the marketplace price, and the program is probably not even going to click into effect. And if it was, has the gentleman not raised the number in his amendment about four times and is it not now, what is it, \$645?

Mr. KOLBE. Mr. Chairman, if the gentleman would yield, to respond to the gentleman it is \$640 per ton in the amendment.

Mr. ROSE. Six hundred forty. Mr. Chairman, I, for the life of me, cannot understand why the gentleman would want to introduce an amendment like this. It is not going to save any money. The Department of Agriculture is perfectly content with operating the program at \$610 a ton. That is a floor, it is not a ceiling.

Mr. Chairman, I would say to my colleagues I think this is a very mischievous amendment. It actually probably will not have any legal effect if it passes because of the way it is written.

But it is a hoax to tell the American housewife that if we vote for this amendment, that they are going to save anything on the price of peanuts at the grocery store. This will go into the pockets of the companies that manufacture candy.

Candy manufacturers are worried about only two things: the cheap sugar and cheap peanuts. We could give peanuts to candy manufacturers, and do you think they would drop a nickel or a dime off the cost of a candy bar? Absolutely not.

This amendment does not relate to the peanut program because it does not even understand how the peanuts program works. I urge my colleagues in the House, vote "no" on this amendment. Let us get on to letting the Department do what we agreed to in the farm bill, and that is that the price support floor is \$610 for peanuts. Let us do not even attempt to fix the price of the peanuts in this bill.

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

Mr. Chairman, the gentleman from Arizona [Mr. KOLBE] and I are offering this amendment today to ensure that the minor reforms, and I say minor reforms, to the peanut program that were included in the farm bill are actually implemented. I do not think that is too much ask. The peanut program epitomizes wasteful, inefficient Government spending and it supports peanut quota holders at the expense of 250 million American consumers and taxpayers.

This is an outdated program. It is based on a system reminiscent of feudal society. Quotas to sell peanuts are handed down from generation to generation. And let us remember that two-thirds of the people who own these quotas do not even farm. They do not even live on the farm. They probably do not remember what a farm looks like.

Mr. Chairman, the GAO has estimated that this program passes on \$500 million per year in higher peanut

prices to consumers. To my good friend from North Carolina I would like to say I know that there are a lot of studies, but there is a study done by Public Voice for Food and Health Policy, between 1988 and 1993, that showed that as the Government-set price of peanuts went up, the retail price went up and as the Government-set price went down, the retail price went down. I know that there are a lot of studies, but this was on study that testified to that fact.

Mr. Chairman, the Kolbe-LoweY amendment is a reasonable approach to ensuring that the reforms that were actually passed in the farm bill are implemented. The amendment ensures that the average price of peanuts is no greater than \$640 per ton, which is \$38 lower than last year's price, and \$30 higher than the price support rate included in the farm bill.

As many of my colleagues know, I was not satisfied with the reforms to the peanut program included in the farm bill, but the very least we can do is to ensure that these reforms are implemented and executed.

Lowering the price of peanuts is also good for American jobs because the price of peanuts in the United States is so high, peanut butter and candy bar manufacturers are actually leaving the United States to open up plants in Canada and Mexico because the peanuts can be purchased there are at the world market price, which is half the United States price, and the finished product can be brought into the United States and sold here.

Seems to me that what we have to do is artificially lower the high price of domestic peanuts to save these manufacturing jobs. I urge my colleagues to stand up for American consumers, pass the amendment. It is good policy, and it is only asking that the reforms passed as part of the farm bill are implemented.

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

Mrs. LOWEY. I yield to the gentleman from Arizona.

Mr. KOLBE. Mr. Chairman, I thank the gentlewoman for yielding, and I commend her for the statement she made.

Mr. Chairman, I want to respond to a couple of things said by the gentleman from North Carolina [Mr. ROSE] when he is talking about this being a floor. He is right. But he forgets to talk about the other aspect of this program, which is the quota that the Secretary can manipulate.

The Secretary has toyed with the quota, which, as far as I know, has never in recent times ever been set below the level of consumption. By lowering it below the level of consumption, he has assured that that price will not drop to that floor of \$610 a ton. So we know that we will not have a 10-percent reduction.

And if we are talking about a safety net for growers, where is the safety net for those who do not have quotas, that

sell only in exports? There is no safety net for them. Why do not we have a price that reflects the world market price?

Mrs. LOWEY. Mr. Chairman, reclaiming my time, I want to respond to one other point that was mentioned by my good friend from North Carolina. We have heard a lot about fixing the price, but maybe I am missing something. It seems that that is just what this feudal system is about, fixing the price.

Mr. Chairman, if we do not want to fix the price and mess with the market, then let us let it go free on the market. What we are doing here is actually price-fixing by keeping this in place.

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

Mrs. LOWEY. I yield to the gentleman from North Carolina.

Mr. ROSE. Mr. Chairman, the gentlewoman was responsible, she and her colleagues were responsible, for reducing the price support level for peanuts from \$678 dollars a ton to \$610 a ton. That is a substantial, tremendous financial hit on the peanut farmers of America. The gentlewoman has characterized it as not a very substantive reform. We think it was too much reform, but she has that to her credit.

It is a floor under which the Government support program buys the peanuts. The gentlewoman and her colleagues are trying to say that if the average price of peanuts—

The CHAIRMAN pro tempore (Mr. LINDER). The time of the gentlewoman from New York [Mrs. LOWEY] has expired.

(On request of Mr. ROSE, and by unanimous consent, Mrs. LOWEY was allowed to proceed for 2 additional minutes.)

Mrs. LOWEY. I yield to the gentleman from North Carolina.

Mr. ROSE. Mr. Chairman, what the gentlewoman from New York is saying is that if the price of peanuts goes over \$245, that the program disappears. Well, who is going to tell the Department of Agriculture what peanuts sell for when they do not monitor that, if they are not within the program?

In other words, the gentlewoman has come up with something that will not work. Will Rogers used to say, "It ain't what people do not know that bothers me; it is what they think they know that is just dead, damn wrong that bothers me."

The gentlewoman from New York and her colleagues all have wandered into that area here rather beautifully. There is no way the Department of Agriculture can go out and see every peanut farmers in America and say, "Did you sell your peanuts for more than \$654 a ton? If so, we want you to sign a paper." How you are going to monitor this monster that you all have created? I beg to offer to you that it will not work, and I urge my colleagues to vote against it.

Mrs. LOWEY. Mr. Chairman, reclaiming my time, I just want to say to my distinguished colleague I am very re-

spectful of his knowledge on this program, but many of us as consumers do face the impact of these programs. And all we are saying is we are not changing by this amendment any of the improvements, any of the modifications that were put in place that the gentleman supported, or many of my colleagues supported, in the freedom to farm bill.

All we are saying is let us not be able to squeeze the market, squeeze the quota so we push the price higher. CBO has estimated that this amendment will be zero cost. The growers will not have to pay anything. It is my understanding that that is all the amendment does. My distinguished colleague is actually making sure that the reforms, as modest as they were, be implemented.

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

Mr. Chairman, the gentleman from North Carolina referred to a monster that he said we would be creating by passing this amendment. The real monster and the real offense against the market system is the current peanut quota system. It locks up the market tighter than a drum. It is a Government-sanctioned cartel, and it is offensive to everything that we as Americans believe in with respect to free enterprise.

Mr. Chairman, as for the gentleman's contention that none of the cost savings to the manufacturers would be passed on to the consumers, if that is the case, then let us set the price at \$1,000 a ton or \$2,000 or \$5,000 a ton.

Of course, if we completely lose sight of rational economics and we decide that there will be one corner of Stalinistic economics in our economy, then anything should go, and why do not we go for \$5,000 a ton?

The fact is that the lower the price of the raw material, the lower the price of the product. And it is adding 33 cents to the cost of a jar of peanut butter to implement the current program. This is a cost that is borne disproportionately by the working poor and by the middle class. It is paid every day by that working mother who makes the peanut butter and jelly sandwich for her children to take to lunch at school. And that is the true impact.

It is time that we stop treating the peanut industry as a special, privileged sector of the agricultural economy. The Freedom to Farm Act made some important reforms in many commodities, but in order to get the votes to enact those reforms, it went very light on sugar and very light on peanuts.

Mr. Chairman, I believe it is time for us to get serious about this. This is a very modest step to make sure that we do not pay even more than the Freedom to Farm Act contemplated.

So, it is absolutely essential that we pass this amendment, and I strongly urge a "yes" vote.

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

Mr. Chairman, that last exchange was truly amazing. If my colleagues would only stop for a moment; when we talk about the consumer, and I want my colleague from New York to listen very carefully, look at what has been happening in the marketplace for cereal in the last 2, 3, 4 weeks. The price of cereal has dropped from \$4 a box to \$3 a box while the price of grain has doubled to the farmer. Why? Because the manufacturing interests that the two sponsors of this amendment are carrying the water on today have decided that they do not need to take \$2 from the consumer for advertising in order to sell more of their product, that by lowering the price they can sell more.

That is what is happening in the marketplace, and the same is true for peanuts. You can find and document the exact same facts in the manufacturing side. There is more cost in the container of a jar of peanut butter than the value of the peanuts within the peanut butter. So the argument that was just made by the gentleman from New Jersey, better go back and check the facts.

Let us review what the Committee on Agriculture did in the farm bill this year. We, much to the chagrin of the small producers that many of us represent, agreed to cut the price to the producer from \$678 down to \$610. Pretty good cut, folks, by anybody's definition of cut. And this is not cut from rate of increase. This is a cut in net farm income that does not seem to satisfy some folks around here today because they want to do more.

Now, what is truly amazing to me about this amendment and this argument, which I do not believe the proponents of the amendment truly understand the peanut program or what they are proposing.

Mr. Chairman, if, in fact, we want the market to work, by cutting the quota from 1.3 million tons to 1.1, we are allowing the market to work. We are reducing the amount of subsidized peanuts and allowing the probability of farmers who have no quota to produce peanuts for the market.

Now, lo and behold, what the complaints are today is what? You cannot find a seller for \$650 for peanuts. Farmers want more. If the marketplace says they should get more, then they will get more. If this says they will get less, they will get less. Because who now has an opportunity to sell peanuts? Anybody in the United States today can raise peanuts.

□ 1300

There is no prohibition on who can raise peanuts. If you choose to raise them for this market that everybody is concerned about, you take a guarantee of \$138 a ton. That is all you are guaranteed. You can produce for the international marketplace, get a contract perhaps for \$400, but if you want to go for the market in the belief that there will be increased consumption, you

may do so. But you also take a chance on losing. That is what the market is all about.

Listening to this debate today, I am saying, am I living in a different world? All of the arguments being made are being made in direct opposition to the market. That is why I believe that those offering the amendment truly do not understand the intricacies of the peanut program.

In conclusion, let me say this, please, to my colleagues: Understand what we have already done to the peanut program. We are doing it because we, too, recognize the market needs to work. We have moved the program in that direction. We have reduced the support price from \$678 to \$610. We are allowing people to produce peanuts.

Yet we hear now those who are concerned that the consumer is being hurt, take a look at cereal. Take a look at the argument. Ask those people that are giving you the information of why you ought to come in here and do to the peanut farmer what you are doing, ask them what and why they are doing in the marketplace to the consumer other than trying to take it out of the farmer's pocket.

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

Mr. STENHOLM. I yield to the gentlewoman from New York.

Mrs. LOWEY. Mr. Chairman, I would just like to ask my distinguished colleague a question. The gentleman is saying that the committee and the freedom to farm bill passed some very important reforms, and I would agree that there have been some reforms made. It is my understanding, and I am trying to understand why he objects, that this amendment, which we are proposing, is just making sure that these reforms, which are an important step in the right direction, are implemented.

The question that I have, with these reforms, the prices continuing higher than the \$610. My colleague is saying that it is the market. There may be a case to be made that, because the quota is squeezed and the quota is reduced, that continues to push the price up. Maybe there is a faulty administration of the quota system.

The CHAIRMAN. The time of the gentleman from Texas [Mr. STENHOLM] has expired.

(By unanimous consent, Mr. STENHOLM was allowed to proceed for 3 additional minutes.)

Mrs. LOWEY. Mr. Chairman, if the gentleman will continue to yield, if, in fact, this amendment is implemented, and I hope it is today, then what it is trying to do is just to be sure that the reforms which my colleague states were made, and they were in the freedom to farm bill, are implemented correctly.

Mr. STENHOLM. Mr. Chairman, I thank the gentlewoman for her question, but follow this very carefully. There is no prohibition on anyone raising any number of peanuts. Last year,

I believe the domestic market for peanuts was 937,010 tons. That was the domestic market last year. The administration has reduced from 1.3 to 1.1; 1.1, the last time, I checked, was more than 937. So really, you cannot make an argument that even the reduced quota is going to short the market.

But the important thing to understand is that anybody can raise any number of peanuts. If there is a shorting of the market because there are not enough peanuts to go around, anybody can go into the pools that we have, pools in which peanut farmers sell their peanuts into a joint pool. If the market price is greater, they share in the benefits and, if it is not greater, they lose.

So the argument that we, by reducing from 1.3 to 1.1 is unduly influencing the market, it might be right now when some folks are trying to contract. And if I were a buyer right now, I would be doing everything in my power to do, to get somebody to come on the floor and to put a cap on what farmers can receive. That is good business. I understand that. That makes eminent good sense, put a cap on, which is what this amendment would do. No farmer may ever get more than \$640 a ton for their peanuts.

Mrs. LOWEY. But my colleague agreed to \$610 already.

Mr. STENHOLM. As floor, as a floor. But it is the same in corn. I suppose the next thing we will have an amendment to put a cap on is corn. Put a cap on wheat, put a cap on cotton. Control the price. Control. Let us have price fixing, which is what you are proposing right here with this amendment. Let us fix the price on the up side.

As we all know, what we have tried to do with farm programs is to put some bottom-side protection to growers; bottom-side protection, because we are in the international marketplace in all of agriculture. And in peanuts it is a unique program, I concede that. It is very unique. But I wish my colleague would give credit to the Committee on Agriculture for doing that which we recognize we had to do, and that is move the program more into the market orientation side. And we did that. But it is never enough for those that want to kill the program. Those that want to go in and eliminate the total program and would love to pay \$400 a ton for peanuts and buy all the peanuts for 1 year until you break the farmers, I understand that. It makes good sense.

The CHAIRMAN. The time of the gentleman from Texas [Mr. STENHOLM] has again expired.

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

Mr. STENHOLM. Mr. Chairman, I only want to point out again, which I think is the most relevant counter-argument to the amendment being offered: There is no restraint on production of peanuts. The market is the one that has to react. If the market chooses to pay \$800 a ton, peanut farmers

will be happy. If they choose to pay \$610, they will not be so happy. Some will be very happy with \$610. I have got growers that make good money at \$500, \$400 a ton. I have got others that struggle to make it at \$610. We tried to balance that constituent interest because I happen to represent both quota and nonquota. I happen to represent some of the theory that the gentleman from Arizona [Mr. KOLBE] is trying to put forward here.

Mrs. LOWEY. Mr. Chairman, if the gentleman will continue to yield, I just want to say again that, respectfully to my good friend, the only difference in our view is, you are calling price fixing our amendment which attempts to put in place the change in the freedom to farm program where we are saying that this feudal program is price fixing all along.

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

I will not take the full 5 minutes. Let us just put this in perspective. What is going to happen if this amendment passes, the small farmers is going to get hurt. We have practiced this in other areas. He is going to get hurt. We talk so much about the consumer. Everybody is a consumer, even the small peanut farmer. He buys peanut butter, he buys candy bars. He buys all the stuff that is made with peanut products. What is going to happen is the small farmer is going to be hurt, it is going to cost him money. But if you think for 1 minute that, if you pass this bill, the savings are going to be passed on to the consumer, then we have got some good property over in North Carolina on the coast that fluctuates with the tides, we like to sell you over there.

You are not going to pass along the so-called savings to this. The people that make the Baby Ruths and the Pay Days and the Hershey bars, they are not going to pass along the savings to the consumer. So what it is going to boil down to is the small farmer, who is a consumer, he has to go out and buy; but the masses of the consumer that go every week to the Safeways and to the Giants and the places and buy the snack bars, what have you, he is not going to see any savings on this.

It is going to be a tremendous profit to the people, the big manufacturers that make the, that use peanuts to go into their profits. So we can talk a lot about the consumer, but let us just keep in mind, we have had it in the past when we had sugar programs that said, if you pass a sugar program, hey, soft drinks will come down. We have the same situation. They do not come down. They do not pass on to the consumer. You are not doing anything in this amendment but doing harm to the small farmer and giving exorbitant profits to the people that use the peanuts in their products. The consumer, bless his heart, he is mentioned a lot, but he is not going to receive one penny's worth of benefits if you pass this

amendment. I strongly urge you to look at the reality of it and vote this amendment down.

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

As a member of Committee on Agriculture and one who comes from a heavy peanut-producing area, we began work on reform of the peanut program on November 9, 1994. We began talking to folks in the industry. We began talk to go growers. We began talking to shellers, everybody that is involved in it, because there was a continual attack on the peanut program. Within the Committee on Agriculture, in a bipartisan way, we made real reforms to the peanut program that ensured three things. We talked an awful lot about this: One was that we secure a no-net-cost program to the American taxpayer. We did that.

The second thing was that we make the program more market oriented. We did that. We allowed the transfer of peanut quota across county lines, we did a number of things that would make it more market oriented.

The last thing we did was to provide a safety net for our farmers. We did that with the program that we came up with in the Committee on Agriculture.

Now, there has been some conversation about the domestic demand versus domestic quota. It is true that domestic quota under the previous farm bill was set at 1,350,000 tons. In order to make the program more market oriented, we removed that floor. That was not at the request of the manufacturer, the people who you are talking in favor of right now. They did not want a floor on it. By doing that, we ensured a no net cost, but it also eliminated a floor for domestic demand.

Now, once we did that, the Secretary had the authority to come in and to set that floor at whatever domestic quota, whatever he thought domestic demand would be. It is true that the Secretary set it at 1,100,000 tons, and domestic demand had been 1,200,000 tons. That is a 100,000-ton difference.

Does the gentleman understand the buy-back provisions in the peanut bill? Does the gentleman understand the buy-back provision?

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

Mr. CHAMBLISS. I yield to the gentleman from Arizona.

Mr. KOLBE. Mr. Chairman, yes, I do understand. I confess that I am certainly not the expert on the buy-back provisions that my colleague would be.

Mr. CHAMBLISS. Does my colleague understand that under the buy-back provision that that 100,000-ton gap can be filled with additional peanuts by the Secretary?

Mr. KOLBE. In theory.

Mr. CHAMBLISS. Not in theory, in actuality, that is the way the program works?

Mr. KOLBE. Mr. Chairman, if the gentleman will continue to yield, my understanding of the way the program

works in actuality, this is not the case. I would just point out the difference between the domestic price and the export price of peanuts. It is clear that the reduction of the quota is designed to keep the domestic price at an artificially high level.

Mr. CHAMBLISS. Mr. Chairman, let us move on to talk about domestic price. The amendment establishes the fact that no grower of peanuts anywhere in the United States, of quota peanuts, can achieve a price in excess of \$640 per ton. No grower of additional peanuts can receive a price in excess of \$640 a ton; is that correct?

Mr. KOLBE. Mr. Chairman, if the gentleman will continue to yield, no one who would be under the quota program would get a price in excess of \$640 a ton.

Mr. CHAMBLISS. So we have set a maximum price on peanuts irrespective of the market oriented provisions of this bill, set a maximum of \$640 a ton. Is that or is that not price fixing?

Mr. KOLBE. Mr. Chairman, the price fixing that is going on has been going on in this program, as we know, since the 1930s when we created this program. The reason for this amendment is because the Secretary has chosen to use the other provision of the law, the quota provision, by reducing that below the level of consumption. The result is a dramatic increase in the price, the actual domestic price consumers pay for peanuts. I would be happy, if the gentleman would agree to an amendment, to do away with this entire program in one fell swoop.

Mr. CHAMBLISS. I will be happy to go back to my friend from New Jersey's recommendation that we go to \$1,000 or \$5,000 a ton limit.

But the gentleman is correct in saying that his amendment does fix the price. If I am wrong about that, please correct me.

That flies in the face of everything we have tried to do from a reform of agriculture programs and in particular the peanut program, which is now market oriented. The growers of peanuts took a significant reduction of \$678 a ton to \$610 a ton in anticipation of selling their peanuts more in the world market. That is the whole idea behind it.

What this amendment does is to come in and slap those folks in the face and say, irrespective of how much it costs you to grow it, how much it increases the cost of growing your peanuts next year, throw those facts out the door. The maximum you can get for a ton of peanuts is \$640. That is wrong. It is un-American. It is price fixing. I urge my colleagues to vote against this amendment.

□ 1315

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

Mr. Chairman, I urge a "no" vote on the Kolbe-Lowey amendment because it is indeed unfair. It is unfair because

the peanut industry and agriculture has made an honest attempt, notwithstanding those who are not satisfied that we have not gone far enough in \$678 to \$610, a substantial reduction in what that forwards.

Further, the Government's program is supposed to be a safety net, only used as a bottom line, not the ceiling. Now we are imposing a ceiling, and I also think this is now antimarket. I would think, I say to the gentleman from Arizona [Mr. KOLBE], this was certainly in contradiction to what the Republican Party said they were all about.

This is unfair because, I want to say to the gentlewoman from New York [Mrs. LOWEY], "You may not know who those farmers are, but I do know, and many of them are minority farms, many of them are low-income farms, because you can have a small lot of land and still farm." So this will have a disproportionate hardship on smaller farmers and minority farmers.

By the way, to those who may not know, more minorities participate in farming of peanuts because it is relatively cheap to get into. They do not need as much land. So there is an opportunity here. This opportunity will be removed from those who have had that opportunity.

I would urge a "No" vote on that.

Mr. Chairman, I yield to my colleague, the gentleman from Virginia [Mr. SISISKY].

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

Mr. SISISKY. Mr. Chairman, I thank the gentlewoman for yielding. Many of the arguments I was going to give have already been expressed.

Let me just explain something. I went to peanut hearings, and we had a Senate hearing in my district, and one of the manufacturers who has peanuts in the can said about the program that he could reduce the price, I think, about a dollar a can. And I asked him, "Do you have 50 cents worth of peanuts in that can?" He said, "No, as a matter of fact, 48 cents."

I said, "You must be a genius."

Six or seven years ago I was in a hearing in the ag room in the Longworth Building, and it was a candy manufacturer from the Midwest who said he can save 30 percent on a candy bar, and I asked the chairman, and it was the gentleman from North Carolina [Mr. ROSE], and I said, "May I interrupt for a minute?" I said, "Thirty percent." I said, "Retail or wholesale?" He said, "Retail."

I said, "That's 15 cents. Do you have 2 cents worth of peanuts in there?" He said, "No, got about a penny and a quarter, and that is what the problem is."

The gentleman from Texas [Mr. STENHOLM] mentioned something which was basically true. I have been in a consumer product business, so I know what I am talking about. The container is more expensive than the

ingredients by a large margin. It is not just the ingredients that are in there. And if my colleagues think for a minute that the gentlewoman from New York [Mrs. LOWEY] mentioned that we would open plants in Canada. Why? They send peanut paste down here already. They send peanut paste from China through Canada to come in at a discount. But we have not seen the price of peanut butter drop, I guarantee.

So with that I would ask this House, and I thank the gentlewoman for giving me the time to oppose vehemently the Kolbe-LoweY amendment.

Mr. Chairman, I want to express my very strong opposition to the Hobson/LoweY amendment, which would gut the peanut program.

Only a few months ago Congress passed a farm bill that included a series of reforms to the peanut program. Congress made sure this would be a no-cost program that would not add to the deficit.

But for peanut farmers, there was a price to pay. Farmers had to accept a cut in the support price from \$678 to \$610. As a result of that cut, planting of peanuts has already gone down 5 percent this year because it just does not pay to plant peanuts.

Now just a few months later, with the ink barely dry on the farm bill, here we are debating whether to go back on that package of reforms.

The Hobson/LoweY amendment was drafted to correct a problem that does not exist. Its supporters claim that peanut prices are too high because there is a shortage of supply. They claim the national poundage quota is set too low. But what is their evidence for this? Every indication is that there will be no shortage of peanuts in 1996 or 1997.

Supporters of this amendment point to prices in some parts of the Southeast that are higher than the support price. But this has nothing to do with the national quota being set too low. It is not unusual for prices in the Southeast to be higher than they are elsewhere. In the Virginia-Carolina area and the Southwest, prices are lower. The price that's been offered in my district, for example, is \$610. That is the support price exactly.

The real problem that some of the manufacturers have is that peanut prices are not as low as they would like. They did not succeed in eliminating the peanut program in the farm bill, and they would prefer a support price that would make the program worthless to farmers.

What supporters of this amendment would like to do is slash the price paid to farmers below the cost of production. But that is simply not fair to peanut farmers.

The support price is meant to be a safety net to keep farmers from going out of business. This amendment sets up a cap on the price that can be paid to the farmer. Nowhere in the farm bill did it place a limit on the prices farmers could receive.

The truth is that this amendment does not carry out the intent of the farm bill, as its supporters would have you believe. In fact, it reneges on the compromise that was made in that legislation.

I urge you to stand by the reforms we agreed to in the farm bill and give them a chance to work. Vote "no" on the Hobson-LoweY amendment.

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

Mr. Chairman, I rise in support of the Kolbe-LoweY amendment to establish a maximum market price for peanut sales of \$625 per ton.

As my colleagues know, we all remember when the 1996 farm bill was passed, one of the reform measures that passed in that legislation was a 10-percent reduction in the price of peanuts. This amendment merely insures that the peanut program will be administered as we intended in the 1996 farm bill.

The peanut program comes up every year. It is an antiquated program; there is no doubt about it. Peanuts cannot be sold for fresh use in this country unless they are grown on land that has a quota for peanut production. This system prevents new farmers from growing peanuts. Only so many U.S. producers are permitted to produce peanuts for the U.S. market. Their production is limited to estimated domestic demand or just below to guarantee them a congressionally set support price.

So by producing the peanut support price to an effective rate of \$610 per ton, the U.S. support price would still be \$200 per ton above the world price of \$350 per ton. The price of domestically produced peanuts would still be 43 percent above the world price.

The Kolbe-LoweY amendment would insure that some measure of reform is carried out by encouraging the Secretary of Agriculture to set the national peanut quota system production at a realistic level.

So, Mr. Chairman, the existing quota and price support program for peanuts is anticonsumer, anticompetitive, inefficient. It needs to be changed, and I urge my colleagues to support the Kolbe-LoweY amendment.

Mr. Chairman, I yield to the gentleman from Arizona [Mr. KOLBE], the amendment introducer.

Mr. KOLBE. Mr. Chairman, I thank the gentlewoman for yielding, and I will not take the full time, but I just want to emphasize a couple of points that have been made here and to reiterate that this has been a controversial program; I think we all acknowledge that, a controversial program since its very inception, and frankly growers, manufacturers, and consumers have been constantly at odds on this program.

But I think the freedom to farm bill clearly had a philosophical direction, and that was to make commodities, to market commodities, consistent with a market-oriented approach, to move us in that direction.

There is a huge difference, a huge gap it seems to me, when we are talking about peanuts. It is being treated in a very different fashion, particularly with regard to this gigantic loophole that the Secretary has used. When we talk about setting prices, we are setting prices at \$610 a ton, we are setting

prices at \$640 a ton, whichever one we are using. But the fact of the matter is the Secretary has used a huge gap in the law which allows him to put the quota below, below where the actual level of domestic consumption is to force prices back up. One does not have to be an economics major to figure out that that is going to have a effect on the demand, and it is going to have a effect on the price. If we artificially set the amount of peanuts that can be sold in the United States and one cannot sell any peanuts in the United States without that, it is going to drive that price up. That is what we are trying to correct here.

I have talked to numerous Members here who represent peanut growing interests and they have said, "Look, we did not do it; it was the Secretary that did this." OK, if that is the case, all we are trying to do is correct what we thought we were getting in the farm bill, which was some very modest reduction in the price, and that is why I think this is so essential.

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

Mr. Chairman, I am appalled. I believe that this amendment is clearly nothing more than a fraud. Proponents would have us to believe that it will lower the cost of peanuts, peanut products to the consumer. That could not be farther from the truth, as has already been stated. Not one single manufacturer anywhere in this country has agreed to lower the cost of a candy bar, a jar of peanut butter or a bag of salted peanuts one red cent if this amendment passes. Instead the amendment would put a ceiling on what a farmer who has weathered the storms, the droughts and all of the other risks of growing to what that farmer can get for his product after he has worked so hard.

It seems to me what we are doing here is artificially, as the gentlewoman from New York pointed out, artificially fixing the price. If this is not a violation of antitrust laws, what is? No matter what the market price might be, this amendment limits the amount of profit that a poor farmer in Georgia could make on his peanuts. This is price-fixing, pure and simple.

Now, the gentleman from Georgia [Mr. CHAMBLISS] and I offered earlier last year the national peanut reform bill because the gentlewoman from New York and the gentleman from Texas and many other places have pointed out that they had some problems with the way that the peanut program was structured. As a consequence, we passed a reform bill which was folded into the new farm bill, a reformed peanut program. As a consequence, as the gentleman from Georgia pointed out, we achieved a program that has no net cost to the Government, that is market oriented, but at the same time provides a safety net for our farmers. That is all that it does.

What this amendment will do is take away that safety net, and the minimum profit that a farmer might get because the market has driven the price up will be taken away, and that windfall will be placed in the hands of those people who manufacture that candy bar, who manufacture that jar of peanut butter and who manufacture that bag of salted peanuts. Those are the ones that will get the benefit of that. The poor farmer is going to suffer, and we will see fewer and fewer family farms.

Now, the attack has been made on the Secretary. The Secretary is accused of setting the national pound quotate too low; as a result, artificially driving up the price because of a reduction in supply. But I want to point out, as someone has already said, that in 1995, last year, the national poundage quota was 937,010 tons. This year it is almost 200,000 tons more. That does not sound like anything that is going to reduce the supply. The supply is going to increase. And what is consumption? Consumption is what the market will bear.

This amendment is a fraud, it should be defeated, it is an attack on family farmers, and particularly peanut farmers. I represent the largest peanut farming district in the country. Our farmers work hard, and they suffer great risk to try to turn a profit. We, at great sacrifice, passed a bill, the farm bill, that would address some of the concerns that the critics have had although we felt that they were not well taken. Nevertheless, we compromised, and we have taken a great deal of profit away from our farmers already, reducing the price from \$678 a ton to \$610 per ton. That is a significant decrease in what our farmers can make on their hard labor and the risk they take.

I ask my colleagues to defeat this amendment, protect family farms, protect all of what we have tried to do in farming, our commodity programs and our farm programs, in this 1996 farm bill. This peanut program has been reformed, we have fixed it, and we do not need to break it as this amendment would do. It is clearly a fraud, and I urge my colleagues to defeat it.

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

Mr. Chairman, I want to make it plain that we do not grow peanuts in my district. We have had some of the large peanut growing districts get up here and speak, but I did have the responsibility of chairing the subcommittee that produced the peanut program for the farm bill and other speciality crops. And I want to say that I believe that the peanut program was in need of reform, and I believe that we reformed the peanut program, and I believe that it is in the continuing process of being reformed, not with amendments like this, but because of the world market situation of the NAFTA and GATT treaties that we have approved in this House. It will happen

and is going to happen. And I think that some of the reforms should be pointed out to this House if my colleagues forget that we eliminated price support escalators, we eliminated undermarketing, we eliminated the quota floor, and we reduced and modified and reformed the quota provisions, and people are going to lose their quota eligibility. And it was designed to put quota with the farmers of the South, where peanuts are grown. Sale, lease, and transfer of quota is freely made between the peanut growing areas.

□ 1330

The loan rate was reduced considerably. We did all of this, and now those who oppose this program are back here wanting to reform it before it has ever had a chance to work.

Mr. Chairman, I kind of resent, or I think it is unfair, that the peanut farmers of America are not in the halls, the manufacturers are in the halls seeking somebody to carry this amendment. Where and who is representing the farmers of America, the people that grow our food and fiber? I gladly say I do represent them. It is time to let this program work. Yes, if we need more reforms we can come back and do it later. Let us get the Department of Agriculture to do their job down there. Then we will not have this.

The one thing we tried to put in the farm bill was not shackles on American agriculture. If we can get more for our products, we should have this, we should have it in the free market, and this is a floor for the peanut industry and not a ceiling. I suggest that this amendment is ill-timed and should be defeated.

Mr. PETERSON of Florida. Mr. Speaker, I move to strike the requisite number of words.

Mr. Chairman, I want to compliment the chairman of the subcommittee on our Committee on Agriculture for his previous remarks. He was right on target. I probably just will not take 5 minutes to reiterate what he has already said. But I do want to say, first of all, that this is a consumer-oriented program. We are taking care of the consumers, because we are giving them quality and we are giving them guaranteed quantity. Yes, we are helping the farmers, too, because we are helping assess some of the risk that they are taking. These are incredible risk-takers that we have, Mr. Chairman, these small farmers, who are not in the halls, incidentally. They are out there planting crops and tending to the crops now, they are not out there with the manufacturers up here, asking that this amendment pass.

In fact, Mr. Chairman, I ask that this amendment be pulled. This is a very bad, un-American amendment. It is not well thought out. It does not do the things that we tried to do in the reform process of this program. This is price-fixing at its worst. I think everybody agrees that this is price-fixing.

In fact, Mr. Chairman, not only does it price-fix, but it has this absolute line

drawn that says if you go above that, then the program is dead. What kind of Congress is that, that is going to take all of these small farmers in America and just cut their throats in one fell swoop because they are participating in the free market? Is that not un-American? That, to me, is un-American.

The program that was reformed in the Committee on Agriculture last year was real reform. This took from \$678 to \$610 on the quota price. It did a number of things on the quota transfer. The biggest issue is that it is now, for the first time ever, a no net-cost program. This is not a program that is costing the Federal Government millions and millions of dollars. We need to defeat this amendment. This amendment is as bad as any amendment that has ever come across anybody's desk, and for whatever reason we are doing this, I cannot find a good one.

I ask my colleagues to seriously look at this, look at the fact that we are, in fact, injuring not only peanuts in this regard, because what we are going to do if we take this to its final conclusion, we are going to destroy all of the other programs that are out there.

I will tell the Members, if we do this, the American public is going to have sticker shock in the supermarket. Not only are they going to have sticker shock, but they are going to be a Third World country when they go to the supermarket and try to find these products at the quality levels with which we are producing them now. This is a very poorly thought out amendment. Anybody can look at the fact that it is un-American from the standpoint that it is price-fixing and taking people out of the free market. We need to defeat this amendment today, without delay.

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

Mr. Chairman, I want to rise in support of the Kolbe and Lowey amendment, a fellow New Yorker, a colleague of mine. I ask Members to support the amendment and ask my colleagues to continue to listen to this debate. I also want to take a minute to congratulate the subcommittee chairman, the gentleman from Illinois, on the work that he has done and the reform he has put forward in the full bill.

I also believe that while he is a representative and a great representative of the farmers, that we need to make certain that the consumers are also represented here in this discussion and in the amendment and in the bill. I believe that the one small farm bill change of moving the price support from 678 to 610 has been negated by the fact that the USDA has set the quota on the amount of peanuts that can be grown at such a low level as to basically short the market and to drive up the actual price.

Mr. Chairman, I believe that this reform, the amendment, the Lowey-Kolbe amendment, is one that is a moderate reform in the peanut program for consumers and it represents

exactly that kind of information, exactly the kind of modification. I do not think it is as drastic as we could offer here today. I urge its support.

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

Mr. QUINN. I yield to the gentleman from Connecticut.

Mr. SHAYS. Mr. Chairman, I do not know how any opponent of this amendment can say with a straight face "un-American" or use the word "world market" and talk about "consumer-oriented" and talk about the free market. Give me a break. Un-American? Yes, it is un-American not to let Americans grow peanuts, but you can go to jail if you grow peanuts and sell in the market. You can certainly get arrested and you can be fined. The point is, you cannot grow peanuts and sell at the \$6 price.

Mr. Chairman, I just would say, the bottom line is I would be embarrassed to be opponents of this amendment and talk about un-American, consumer-oriented program, world market, free market. The bottom line is the world market cannot compete. They are not allowed to sell peanuts unless they come and they crush them and they do not get the price. There is no free market, because people from outside this country cannot sell and people in this country, Americans, cannot sell peanuts unless it is to be crushed.

Talking about consumer-oriented, what is consumer-oriented about fixing supply? They fix supply. They are told it is going to be about 900-and-some tons, 1,000 tons. That is fixing the price. What is American about that? What is free market about that?

The problem is we only allow a few people to farm peanuts, only a few. We fix the price by limiting the supply. We attempted to reform that system and we failed. We then said the price should not be \$610, not lower than that, the Government will buy it. What has happened by what the Department of Agriculture has done, they have fixed supplies so the price will be well above the \$610 price. We may end up having to be more than \$678. I think this is an outrage that you can say with a straight face that it is un-American, that it is against the consumer, that it is the free market. How can Members do it? How can they in a straight face use those words?

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

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

Mr. ROSE. Mr. Chairman, I wanted to humbly say to my good friend, who I admired for his support of the minimum wage, we have a little modest minimum wage here for peanut farmers at 610. I just want to chide the gentleman a little, because I have great respect for the gentleman and have read about him in the paper very well the other day, and I was very proud of that. This is a modest minimum wage program. It puts a floor under the peanut farmer.

Mr. SHAYS. If the gentleman will continue to yield, Mr. Chairman, the bottom line is the price is double in this country what the world market price is.

Mr. ROSE. If the gentleman will continue to yield, Members should go up to Canada, where this so-called free market works, and see if peanut butter does not cost more than it does in this country. It is cheaper in this country. We keep it that way and we want it to stay that way.

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

Mr. Chairman, this is so ridiculous. We have sponsors of amendments up here that have no idea about the program, do not serve on either the authorizing or the appropriating committees, the Committee on Agriculture, or its subcommittees. Frankly, this is an ill-conceived amendment, as my colleague, the gentleman from Florida, said. It really ought to be pulled. This is an embarrassment to the House.

First of all, it is price fixing. it is kind of odd that these folks want to fix the price to a farmer who goes out there and puts his capital out there, who sweats and earns his living by his brow, but they do not want to fix the price to the sheller or the manufacturer. They can charge as much as they want to.

Another definition that needs to be explained here is when these folks get up and talk about consumers and quote the GAO report, guess who they are talking about? They are talking about the first buyer of that peanut, which is the sheller and manufacturer. They are not talking about the housewife. We have congressional testimony in committees where these manufacturers say they will not pass one thin dime on to the housewife, not one thin dime.

Mr. HEFNER. Mr. Chairman, will be the gentleman yield?

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

Mr. HEFNER. Mr. Chairman, is the gentleman telling this House and the people watching this debate that he does not believe that the manufacturers would pass this savings on to the consumer? That is what the argument is about, the consumer. The consumer is not going to benefit from this amendment one iota. Am I correct on that?

Mr. EVERETT. Not one iota, Mr. Chairman. Anybody that believes that has driftwood where their brains ought to be. There is no question about that. There is no evidence whatsoever that one dime of this, and anybody that would say anything like it was going to reduce the cost of peanut butter by 35 cents a jar has no idea where he is coming from, has nothing to support that with, absolutely nothing. Mr. Chairman, this is price fixing without question. It is price fixing without question. Next week I guess we should expect a price-fixing amendment on corn, wheat. After all, they are in short sup-

ply this year. We have a terrible situation with corn and wheat.

Let me tell the Members what this is all about, pure and simple. This is about corporate greed. This is about people who are carrying the water for these major corporations who are lining the halls out here, carrying the water for them, and as my colleague pointed out, we do not see any farmers out there lobbying. Every dime of this will go to these corporations' pockets. Not a penny would be passed on to the consumer. This is the most ill-conceived, crazy amendment I think I have seen come on this House floor since I have been here.

For the first time ever, the peanut program is a no cost program. We were asked to do that and we did that. The CBO estimates savings, it says, of \$400 million in the next 7 years. It has already been pointed out the price support escalator is gone, the national pound quota floor has been eliminated. That makes the program market-oriented. Institutional and out-of-State quota holders are stripped of their peanut poundage quota. No more Sam Donaldsons getting checks, from the Government. That has been taken care of. Sale and lease across country lines, that has been taken care of. My growers bitterly opposed that, but we compromised and passed it.

The growers who abused the program and refused to sell the peanuts on the commercial market will be kicked out of the program. No other commodity program in this country has such a severe penalty, not one, none. The price support has been reduced. Overall, the farmers are going to get about 30 percent less in income now because of this new program that has been passed.

For the benefit of the House, I would like to remind the membership that these reforms were made at the expense of the farmer. When we had a hearing in Georgia with both gentleman, my colleagues from Georgia were there, and the gentlewoman from Florida was there, I asked the manufacturers, come work with us. Help us reform this program. But do Members know what? It was their way or no way. They would not move one inch and never moved one inch. Every reform that has been made has been made at the expense of the farmer. As a matter of fact, there are multinational manufacturers, and six or seven of them control 83 percent of the peanut crop, and they just want to line their pockets even more.

Mr. Chairman, this is corporate greed, this is price fixing. Why do we not fix the price, as I said, on peanut butter, candy bars? Let us just fix the price on everything around here, I say to all the free market folks. I ask my colleagues to vote against this amendment. It is absolutely ridiculous.

□ 1345

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

Mr. Chairman, the peanut program which was debated on and passed by the full House earlier this year has already been extensively reformed. It is now a no-cost program representing a \$434 million savings. The support price has been cut by 10 percent, reducing grower income.

These changes already made will reduce farmer income by over 20 percent, \$200 billion annually. Further reductions to the price support level or elimination of the peanut program altogether will only cause the economic ruin of America's 15,000 family peanut farmers and the thousands of rural communities they support without benefiting consumers or taxpayers.

Mr. Chairman, the small family farmers in my district have taken substantial cuts and they have done their part to reduce Government spending and help balance the budget. We do not need a price-fixing amendment. For once let us look out for the concerns of the small family farmers and let us vote "no" to this Kolbe-Lowey amendment.

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

Mr. FUNDERBURK. I yield to the gentleman from Georgia.

Mr. CHAMBLISS. Mr. Chairman, I would like to ask our friend from Arizona, Mr. KOLBE, the sponsor of this amendment, the gentleman from North Carolina has just reiterated the fact that in our peanut title of the 1996 farm bill there was a reduction in the price from \$678 to \$610, in excess of 10 percent. Would the gentleman accept an amendment to his amendment which would reduce the price of a candy bar by 10 percent? And would the gentleman also accept an amendment that would put a cap on the price of all candy bars in this country?

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

Mr. FUNDERBURK. I yield to the gentleman from Arizona.

Mr. KOLBE. Mr. Chairman, I would say to the gentleman from North Carolina and the gentleman from Georgia that the last I checked, there is no Government price program for candy bars as there is for peanuts, so I do not think that the question is a relevant question.

Mr. CHAMBLISS. Mr. Chairman, that is exactly the point. There should not be a price-fixing cap by the Federal Government on any product in this country.

My friend from Texas made a classic point. I think he struck at the heart of this amendment. We have the highest prices for corn and wheat in this country today that we have ever seen in the history of anybody that sits in this House. Yet this week the manufacturers of cereal, the manufacturers who process corn and wheat, have reduced their prices at the retail level.

That shows us that a reduction in price is not going to translate into a reduction at the retail level. An increase in the price in that instance

translated into a reduction at the retail level. I again say this amendment is deplorable, it is un-American, it is price fixing, and it ought to be defeated.

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

First off I would like to apologize to my colleagues on both sides of the aisle who feel very strongly about this issue because I know they are speaking from their heart. I would never want to give the impression that I doubt their sincerity. I guess we have a sincere disagreement about what different words mean. But I also apologize, I guess, to my own Republicans because I thought Republicans believed in the concept of supply and demand. I thought that was one of the things that my party believed in, and I thought my party believed in competition, and so that is why I get so exercised, because I really believe in some of these things that we have said we want and why we got elected.

I also believe that when we went after social welfare that we were also going to go after corporate welfare and after agricultural welfare. I define welfare as a very simple thing, when you start doing things and giving to people that basically become handouts and protections that just promulgate an inefficient system. I see it in this agricultural program.

The program to me, as I see it, is quite simple. We say only some Americans in this country have the right to farm peanuts. I view that as un-American, to say that only some can farm peanuts. I think it is immoral to say that only some in this country.

If we have someone who wants to farm peanuts and sell it at the U.S. price of \$678 or \$610 or whatever, they cannot do that, because they do not have a quota. In this country, unbelievable to me, you need a quota to farm peanuts and sell at that inflated price.

We lost that debate—and I did not introduce this amendment—we lost it by a few votes. We wanted to get rid of the program. But we at least thought that \$610 number was a real number in which a farmer, it would go from \$678 to \$610. We thought that was a real number that meant something and that if a farmer sold at the \$610 price to the Government and the Government bought it at \$610 but could not sell it at \$610, we were told that the farmers would make up the difference in the next year.

But what we learned is we are now going to limit supply to 935,000 tons. My basic Republican tenet told me that when you limit supply, and you have a certain amount of demand, the price starts to go up. And so what you have done effectively or what the Commissioner has done, what the Secretary has effectively done, we went from \$678 with a support price to \$610, and you say it is a 10-percent reduction, but it is never going to be at that \$610 price because we have limited production. So it may be even more than \$678.

What the gentleman from Arizona [Mr. KOLBE] wanted to do was at least say it would be at \$640 and not higher. That is price-fixing. It is price-fixing in a system that is fraught with fixing. It is a system where only some Americans in this country can farm.

I have gone after social welfare in my urban areas, I want to go after corporate welfare and I want to go after agricultural welfare. That is what this program is. We need to get people out of it gradually, I agree. That \$640 price is a fair price. They are going to go from \$678 to \$640. That is fair. We did not eliminate the program. We are just asking for some protection because we did not think the Secretary would manipulate price by limiting supply of the product so much.

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

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

Mrs. CLAYTON. Mr. Chairman, did I understand the gentleman to say that the \$610 was a ceiling or the floor?

Mr. SHAYS. It is the price at which a farmer can sell to the Government.

Mrs. CLAYTON. It is a price below which the Government will have a safety net to help.

Mr. SHAYS. That is the safety net. When the Government buys it and has to sell it if it does not get \$610.

Mrs. CLAYTON. What does the Government buy it for?

Mr. SHAYS. It is the floor.

Mrs. CLAYTON. It is the floor for which the Government will make it eligible for a farmer to buy.

Now the gentleman wants to fix the price at \$640.

Mr. SHAYS. No, no. We want to put a ceiling on that price, because by limiting supply, the supply may even go over \$678. That is the irony. We talk about the manufacturer and we talk about the farmer. Who is talking for the consumer?

Mrs. CLAYTON. I would like to think that I am.

Mr. SHAYS. No, I think the gentleman is talking for the farmer, because the consumer is getting screwed in this system. The consumer is getting screwed.

Mrs. CLAYTON. They are not getting screwed by the farmers.

Mr. SHAYS. If they were paying the market price, it would be \$350.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Arizona [Mr. KOLBE].

The question was taken; and the Chairman pro tempore announced the yeas appeared to have it.

RECORDED VOTE

Mr. HOBSON. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore. If no intervening business occurs after this vote, there will be a 5-minute vote on the Kennedy amendment.

The vote was taken by electronic device, and there were—ayes 189, noes 234, not voting 11, as follows:

[Roll No. 231]

AYES—189

Andrews	Gejdenson	Miller (CA)
Archer	Gekas	Miller (FL)
Army	Gibbons	Minge
Baldacci	Gilchrest	Moakley
Barr	Gilman	Molinari
Barrett (WI)	Goodling	Moran
Barton	Goss	Morella
Bass	Greene (UT)	Nadler
Becerra	Greenwood	Neal
Beilenson	Gunderson	Neumann
Bereuter	Gutierrez	Oberstar
Berman	Hall (OH)	Obey
Bilbray	Hancock	Olver
Blumenauer	Harman	Packard
Blute	Hayworth	Pallone
Boehlert	Hinchee	Pelosi
Boehner	Hobson	Petri
Bono	Hoekstra	Porter
Borski	Hoke	Portman
Brown (OH)	Holden	Pryce
Brownback	Hostettler	Quinn
Bunn	Hutchinson	Ramstad
Burton	Jacobs	Reed
Camp	Johnston	Regula
Campbell	Kanjorski	Rivers
Cardin	Kasich	Rohmer
Castle	Kelly	Rohrabacher
Chabot	Kennedy (MA)	Ros-Lehtinen
Christensen	Kennedy (RI)	Roukema
Chrysler	Kennelly	Royce
Clay	Kim	Rush
Clement	King	Sabo
Collins (IL)	Klink	Salmon
Conyers	Klug	Sanford
Cox	Knollenberg	Sawyer
Coyne	Kolbe	Schumer
Crane	LaFalce	Seastrand
Cremeans	Lantos	Sensenbrenner
Cunningham	LaTourette	Shadegg
DeLauro	Lazio	Shaw
DeLay	Leach	Shays
Deutsch	Levin	Slaughter
Doggett	Lipinski	Smith (NJ)
Doyle	LoBiondo	Smith (WA)
Dreier	Lofgren	Stark
Duncan	Longley	Stokes
Dunn	Lowey	Studds
Ehlers	Luther	Talent
English	Maloney	Tate
Ensign	Manzullo	Torkildsen
Eshoo	Markey	Upton
Fawell	Martini	Velazquez
Flanagan	Mascara	Vento
Foglietta	McCarthy	Visclosky
Forbes	McDermott	Walker
Ford	McHale	Wamp
Fox	McHugh	Waxman
Frank (MA)	McIntosh	Weldon (PA)
Franks (CT)	McNulty	White
Franks (NJ)	Meehan	Wolf
Frisa	Menendez	Yates
Furse	Meyers	Zeliff
Gallely	Mica	Zimmer

NOES—234

Abercrombie	Burr	DeFazio
Ackerman	Buyer	Dellums
Allard	Callahan	Diaz-Balart
Bachus	Canady	Dickey
Baesler	Chambliss	Dicks
Baker (CA)	Chapman	Dingell
Baker (LA)	Chenoweth	Dixon
Ballenger	Clayton	Dooley
Barcia	Clinger	Doolittle
Barrett (NE)	Clyburn	Dornan
Bartlett	Coble	Durbin
Bateman	Coburn	Edwards
Bentsen	Coleman	Ehrlich
Bevill	Collins (GA)	Engel
Bilirakis	Collins (MI)	Evans
Bishop	Combest	Everett
Bliley	Condit	Ewing
Bonilla	Cooley	Farr
Bonior	Costello	Fattah
Boucher	Cramer	Fazio
Brewster	Crapo	Fields (LA)
Browder	Cubin	Fields (TX)
Brown (CA)	Cummings	Filner
Brown (FL)	Danner	Flake
Bryant (TN)	Davis	Foley
Bryant (TX)	de la Garza	Fowler
Bunning	Deal	Frost

Funderburk	Manton	Schroeder
Ganske	Martinez	Scott
Gephardt	Matsui	Serrano
Geren	McCollum	Shuster
Goodale	McCrary	Sisisky
Goodlatte	McInnis	Skaggs
Gordon	McKeon	Skeen
Graham	McKinney	Skelton
Green (TX)	Meek	Smith (MI)
Gutknecht	Metcalf	Smith (TX)
Hall (TX)	Millender-	Solomon
Hamilton	McDonald	Spence
Hansen	Mink	Spratt
Hastert	Mollohan	Stearns
Hastings (FL)	Montgomery	Stenholm
Hastings (WA)	Moorhead	Stockman
Hefley	Murtha	Stump
Hefner	Myers	Stupak
Heineman	Myrick	Tanner
Herger	Nethercutt	Tauzin
Hilleary	Ney	Taylor (MS)
Hilliard	Norwood	Taylor (NC)
Horn	Nussle	Tejeda
Houghton	Ortiz	Thomas
Hoyer	Orton	Thompson
Hunter	Owens	Thornberry
Hyde	Oxley	Thornton
Istook	Parker	Thurman
Jackson (IL)	Pastor	Tiahrt
Jackson-Lee	Paxon	Torres
(TX)	Payne (NJ)	Torricelli
Jefferson	Peterson (FL)	Towns
Johnson (CT)	Peterson (MN)	Traficant
Johnson (SD)	Pickett	Volkmer
Johnson, E.B.	Pombo	Vucanovich
Johnson, Sam	Pomeroy	Walsh
Jones	Poshard	Ward
Kaptur	Quillen	Waters
Kildee	Radanovich	Watt (NC)
Kingston	Rahall	Watts (OK)
Klecza	Rangel	Weldon (FL)
LaHood	Richardson	Weller
Largent	Riggs	Whitfield
Latham	Roberts	Wicker
Laughlin	Rogers	Williams
Lewis (CA)	Rose	Wilson
Lewis (GA)	Roth	Wise
Lewis (KY)	Roybal-Allard	Woolsey
Lightfoot	Sanders	Wynn
Linder	Saxton	Young (AK)
Livingston	Scarborough	Young (FL)
Lucas	Schaefer	

NOT VOTING—11

Calvert	Hayes	Payne (VA)
Emerson	Inglis	Schiff
Frelinghuysen	Lincoln	Souder
Gillmor	McDade	

□ 1415

The Clerk announced the following pair:

On this vote:

Mr. Frelinghuysen for, with Mr. Calvert against.

Messrs. WARD, DICKEY, MARTINEZ, SERRANO, and DELLUMS changed their vote from "aye" to "no."

Messrs. REED, DEUTSCH, KIM, PACKARD, BECERRA, Ms. PELOSI, and Messrs. SAWYER, BURTON of Indiana, WHITE, Ms. FURSE, Mrs. KENNEDY, and Mr. BROWNBACK changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

□ 1415

AMENDMENT OFFERED BY MR. KENNEDY OF MASSACHUSETTS

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Massachusetts [Mr. KENNEDY] on which further proceedings were postponed and on which the noes prevailed by a voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 133, noes 288, not voting 13, as follows:

[Roll No. 232]

AYES—133

Archer	Gutknecht	Poshard
Army	Hall (OH)	Ramstad
Barton	Hancock	Reed
Bass	Hansen	Regula
Beilenson	Hayworth	Rivers
Bereuter	Hoke	Rohrabacher
Blute	Hostettler	Roukema
Borski	Hutchinson	Royce
Brown (OH)	Hyde	Rush
Brownback	Jackson (IL)	Salmon
Burton	Jacobs	Sanders
Cardin	Johnston	Sanford
Castle	Kanjorski	Scarborough
Chabot	Kennedy (MA)	Schumer
Christensen	Kennedy (RI)	Sensenbrenner
Chrysler	Kildee	Shadegg
Coburn	LaFalce	Shaw
Collins (IL)	Lazio	Shays
Conyers	Linder	Shuster
Cox	Lipinski	Skaggs
Coyne	LoBiondo	Smith (MI)
Cunningham	Lowe	Smith (NJ)
Davis	Luther	Smith (TX)
Deal	Markey	Smith (WA)
Doyle	Martini	Souder
Duncan	McInnis	Spence
Ehlers	McKinney	Spratt
Ensign	McNulty	Stearns
Fawell	Meehan	Stockman
Fields (LA)	Miller (FL)	Studds
Foglietta	Minge	Tate
Fox	Moakley	Tiahrt
Frank (MA)	Moran	Torkildsen
Franks (CT)	Morella	Velazquez
Franks (NJ)	Myrick	Vento
Furse	Nadler	Neumann
Gejdenson	Neumann	Oberstar
Gibbons	Oberstar	Wamp
Gilchrest	Obey	Weldon (FL)
Goodlatte	Olver	Weldon (PA)
Goss	Orton	Wolf
Graham	Pallone	Yates
Greene (UT)	Payne (NJ)	Zeliff
Gunderson	Petri	Zimmer
Gutierrez	Porter	

NOES—288

Abercrombie	Buyer	Dooley
Ackerman	Callahan	Doolittle
Allard	Camp	Dornan
Andrews	Campbell	Dreier
Bachus	Canady	Dunn
Baesler	Chambliss	Durbin
Baker (CA)	Chapman	Edwards
Baker (LA)	Chenoweth	Ehrlich
Baldacci	Clay	Engel
Ballenger	Clayton	English
Barcia	Clement	Eshoo
Barr	Clinger	Evans
Barrett (NE)	Clyburn	Everett
Barrett (WI)	Coble	Everett
Bartlett	Coleman	Farr
Bateman	Collins (GA)	Fattah
Becerra	Collins (MI)	Fazio
Bentsen	Combest	Fields (TX)
Berman	Condit	Filner
Bevill	Cooley	Flake
Bilbray	Costello	Flanagan
Bilirakis	Cramer	Foley
Bishop	Crapo	Forbes
Bliley	Cremeans	Ford
Blumenauer	Cubin	Fowler
Boehlert	Cummings	Frisa
Boehner	Danner	Frost
Bonilla	de la Garza	Funderburk
Bonior	DeFazio	Gallely
Bono	DeLauro	Ganske
Boucher	DeLay	Gekas
Brewster	Dellums	Gephardt
Browder	Deutsch	Gilman
Brown (CA)	Diaz-Balart	Gonzalez
Brown (FL)	Dickey	Goodling
Bryant (TN)	Dicks	Gordon
Bryant (TX)	Dingell	Green (TX)
Bunn	Dixon	Greenwood
Bunning	Doggett	Hall (TX)

Hamilton	Manton	Rogers
Harman	Manzullo	Ros-Lehtinen
Hastert	Martinez	Rose
Hastings (FL)	Mascara	Roth
Hastings (WA)	Matsui	Roybal-Allard
Hefley	McCarthy	Sabo
Hefner	McCollum	Sawyer
Heineman	McCrery	Saxton
Herger	McDermott	Schaefer
Hilleary	McHale	Schroeder
Hilliard	McHugh	Scott
Hinchey	McIntosh	Seastrand
Hobson	McKeon	Serrano
Hoekstra	Meek	Sisisky
Holden	Menendez	Skeen
Horn	Metcalf	Skelton
Houghton	Meyers	Slaughter
Hoyer	Mica	Solomon
Hunter	Millender-	Stark
Istook	McDonald	Stenholm
Jackson-Lee	Miller (CA)	Stokes
(TX)	Mink	Stump
Jefferson	Molinari	Stupak
Johnson (CT)	Mollohan	Talent
Johnson (SD)	Montgomery	Tanner
Johnson, E. B.	Moorhead	Taylor (MS)
Johnson, Sam	Murtha	Taylor (NC)
Jones	Myers	Tejeda
Kaptur	Neal	Thomas
Kasich	Nethercutt	Thompson
Kelly	Ney	Thornberry
Kennelly	Norwood	Thornton
Kim	Nussle	Thurman
King	Ortiz	Torres
Kingston	Owens	Torricelli
Klecicka	Oxley	Towns
Klink	Packard	Traficant
Klug	Parker	Upton
Knollenberg	Pastor	Volkmer
Kolbe	Paxon	Vucanovich
LaHood	Pelosi	Walker
Lantos	Peterson (FL)	Ward
Largent	Peterson (MN)	Watt (NC)
Latham	Pickett	Watts (OK)
LaTourette	Pombo	Waxman
Laughlin	Pomeroy	Weller
Leach	Portman	White
Levin	Pryce	Whitfield
Lewis (CA)	Quillen	Wicker
Lewis (GA)	Quinn	Williams
Lewis (KY)	Radanovich	Wilson
Lightfoot	Rahall	Wise
Livingston	Rangel	Woolsey
Lofgren	Richardson	Wynn
Longley	Riggs	Young (AK)
Lucas	Roberts	Young (FL)
Maloney	Roemer	

NOT VOTING—13

Calvert	Inglis	Tauzin
Emerson	Lincoln	Walsh
Frelinghuysen	McDade	Waters
Gillmor	Payne (VA)	
Hayes	Schiff	

□ 1426

Mr. GENE GREEN of Texas, Mr. MCHALE, Mr. OWENS, and Ms. JACKSON-LEE of Texas changed their vote from "aye" to "no."

Mr. TIAHRT change his vote from "no" to "aye."

The amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Ms. WATERS. Mr. Chairman, I was unavoidably detained during rollcall vote No. 232, the Kennedy of Massachusetts amendment to H.R. 3603, the fiscal year 1997 Agriculture appropriations bill. Had I been present, I would have voted "aye."

AMENDMENT OFFERED BY MR. BONO

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 9 Offered by Mr. BONO: Page 69, after line 5, insert the following new section:

Sec. . . It is the sense of Congress that, not later than the date of the enactment of this Act, the Secretary of Agriculture should—

(1) release a detailed plan for compensating wheat farmers and handlers adversely affected by the karnal bunt quarantine in Riverside and Imperial Counties of California, which should include—

(A) an explanation of the factors to be used to determine the compensation amount for wheat farmers and handlers, including how contract and spot market prices will be handled; and

(B) compensation for farmers who have crops positive for karnal bunt and compensation for farmers who have crops which are negative for karnal bunt, but which cannot go to market due to the lack of Department action on matching restrictions on the negative wheat with the latest risk assessments; and

(2) review the risk assessments developed by the University of California at Riverside and submit a report to Congress describing how these risk assessments will impact the Department of Agriculture policy on the quarantine area for the 1997 wheat crop.

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

Mr. BONO. Mr. Chairman, as many of my colleagues may know, a wheat fungus called karnal bunt was found this spring in Texas, New Mexico, Arizona, and California. Many areas were placed under quarantine by USDA. This means that no wheat infected with karnal bunt can leave the quarantine area, and wheat free of karnal bunt can be sold only under specific conditions.

Karnal bunt is a staggering problem in a year when drought already has troubled the Nation's wheat supply.

The USDA has implemented compensation plans in Texas and New Mexico for farmers who suffered losses from the quarantine.

However, despite weekly promises for 2 months from the USDA, no compensation plan has been released to California farmers. The only thing the Department has told the farmers is, that some will be compensated, and a plan will be released next Tuesday. The USDA has been making this promise over and over for 2 months and has not delivered.

In other words, these farmers have been left in the dark—with no end in sight. These farmers do not know how they will be treated by the USDA, who will be compensated for losses from the quarantine, and what is the official policy.

The Department's inaction has caused our farmers more uncertainty and anxiety, when they already have to deal with the devastation of a quarantine on their best crop in 20 years.

Our farmers deserve better. They deserve timely and thorough information, not unfulfilled promises and uncertainty.

This amendment is simple. It expresses the sense of the Congress that the USDA should live up to its promises: It should end the delay and release a detailed compensation plan.

The amendment also requests that the USDA review a new study of karnal bunt in these counties, and report to

Congress on how this study will affect the Department's policies for the 1997 wheat crop.

This study was recently performed by some of the most respected experts in agriculture at the University of California. Because it is more complete and updated than the USDA's last study, it should be seriously considered.

This amendment is the least we can do for the farmers.

Mr. Chairman, I urge my colleagues to vote for my amendment.

□ 1430

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

Mr. BONO. I yield to the gentleman from California.

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

I want to commend the gentleman from California [Mr. BONO] for his leadership on this issue which is of great economic importance to not only California but all of the other States in which this disease is now showing up. Let me just say that this is a well-thought-out amendment. It requires that USDA give us a blueprint for the compensation package that we need now for our farmers as a result of the Government imposed quarantine.

Second, it requires the Government, USDA, to look at the new study, the University of California study that shows that in most of our areas, the possibility of having a karnal bunt outbreak as a result of the California wheat crop is less than 1 in 1 million years and taking that into consideration to give us a policy, a blueprint for farming our wheat, planting our wheat next year. So the gentleman has taken the leadership on this, and I want to applaud him and join with him on this amendment that not only helps California farmers but farmers across the United States to plant wheat.

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

Mr. BONO. I yield to the gentleman from California.

Mr. DREIER. Mr. Chairman, I rise to join my friend from San Diego in strongly supporting the amendment of the gentleman from Palm Springs. The reason I do so is that there is tremendous uncertainty out there today. All that the gentleman from California [Mr. BONO] is asking is that we have some kind of decision come forward so that we can address what is obviously a very serious and important problem. As my friend from San Diego said, this is not simply a California issue. This is something that has an impact on the entire Nation.

Let us see a decision made so the uncertainty that exists will be able to shift to the past.

Mr. BROWN of California. Mr. Chairman, I rise in support of this amendment by my good friend, the gentleman from Palm Springs, CA [Mr. BONO], supported by my good friend from San Dimas and my good friend, the gentleman from San Diego, CA [Mr. HUNTER]. I know that they all have a serious interest in this. It is a problem

which does involve both of their districts.

I rise to indicate that this amendment has strong bipartisan support throughout the State.

There is no wheat in my own district, but I am very familiar with the problem that this is causing in California. I think that it is a very excellent piece of legislation which addresses the problem and, more than that, assures the farmers who sometimes feel neglected down in southern California that there is concern for their conditions here in Washington. I think that is very helpful.

I urge everyone to vote "yes" on this very good amendment.

Let me conclude by saying one other thing. I do not know which one of you instigated the investigation by the University of California at Riverside; possibly it was the gentleman from California [Mr. HUNTER]. I want to say that the universities reacted very promptly and very thoroughly to this request and have prepared a really excellent report. They are to be highly commended also.

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

Mr. BROWN of California. I yield to the gentleman from California.

Mr. HUNTER. Mr. Chairman, I thank the gentleman because this is a very important point for California. Actually, Mr. Birdsall, the agricultural commissioner for Imperial County, asked for that report early. The University of California has come up with this study validated by peer review to the effect that we only had about a 1 in 1 million chance of having a Karnal bunt outbreak, a disease outbreak as a result of the California wheat crop in most areas. To me that means one chance, a chance of it happening one time in 1 million years.

To me those numbers, which have been validated by the USDA, now, in their recent analysis, should compel us to lift the onerous quarantine requirements that USDA presently has on California wheat. I know the gentleman, my friend Mr. BONO, is working as I am. I know our good friend, Mr. BROWN, is working as are other Members to try to lift that quarantine requirement. I think the University of California analysis supports at least a modification of the quarantine to lift the heating requirement.

Mr. SKEEN. Mr. Chairman, we have no objection to this and accept the amendment of the gentleman from California [Mr. BONO].

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

I would like to make sure having assurance from my colleague from California that our vote on the issue of Karnal bunt will not be used against us by the Family Values Coalition?

I ask the gentleman in all seriousness whether or not the wheat growers who were affected by this quarantine have any protection from crop insurance for these losses?

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

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

Mr. BONO. Mr. Chairman, it does not apply. So the answer to that is no, they do not have protection right now. That is the problem. They are stuck with this, cannot get a response from USDA. And they have a study, a more recent study than the USDA's that shows that the liability is not nearly to the degree that the USDA has placed on it, but they are just stuck. There is no response from the USDA.

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

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

Mr. HUNTER. Mr. Chairman, just to back up my friend, I am just talking to the committee staff, and I have talked to a number of our farmers. This did not prevent us from harvesting the crop. We are harvesting the crop. It is good wheat. It is high class wheat. But because it is harvested and it is simply selling restrictions that are a function of the quarantine, that is not covered, I understand, by most private insurance programs. So basically these farmers are out, at least in my county, in excess of some \$70 million worth of wheat. I think Mr. BONO's county is pretty close to that. It is the Government-imposed quarantine which is the direct cause of the nonmarketability of the wheat at this point.

Let me say this: This study Mr. BONO has talked about that we have done at the University of California says that a chance of an outbreak is less than 1 in 1 million years. We think that that new evidence, that it has been analyzed now by USDA, should justify USDA lifting the heating requirement that presently makes the marketability of this wheat very onerous.

We can only ship this stuff to mills now that have a heating facility that they can heat the feed byproduct with this. It makes it very difficult. I would hope my friend would joint with us in talking with Secretary Glickman, who has been working with us here on this problem, and with Mr. BONO and with Mr. MILLER and the rest of the Californians in trying to lift that very onerous requirement which I do not think now is justified in view of the 1 in 1 million years risk factor.

Mr. DURBIN. Mr. Chairman, if I might reclaim my time and thank my colleagues for giving the additional information on this amendment.

I just say that, since this is not a question of whether or not the growers bought crop insurance, I have much more sympathy for the situation. Second, let me say I do not want Congress to put itself in a role of making scientific decisions, but I do believe that we want the very best and we want an objective decision which will, frankly, help all wheat growers.

Finally, let me say this should remind many of our colleagues, again, how critically important agriculture

research is. We are looking at fungus problems with the corn crop. Here we have one with the wheat crop which literally may cripple some of our wheat growers in our home areas. So I hope my colleagues will stick with us in the future as we try to make sure that ag research receives adequate funding.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. BONO].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. SCHUMER

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. SCHUMER: Page 69, after line 5, insert the following new section:

SEC. 734. (a) LIMITATION ON USE OF FUNDS.—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 access program pursuant to section 203 of the Agricultural Trade Act of 1978 (7 U.S.C. 5623).

(b) CORRESPONDING REDUCTION IN FUNDS.—The amount otherwise provided in this Act for "Commodity Credit Corporation Fund—Reimbursement for the Net Realized Losses" is hereby reduced by \$90,000,000.

Mr. SKEEN. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 30 minutes and that the time be equally divided.

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

There was no objection.

The CHAIRMAN. The gentleman from New York [Mr. SCHUMER] will be recognized for 15 minutes, and the gentleman from New Mexico [Mr. SKEEN] will be recognized for 15 minutes.

The Chair recognizes the gentleman from New York [Mr. SCHUMER].

Mr. SCHUMER. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. ROHRBACHER].

Mr. ROHRBACHER. Mr. Chairman, I rise in strong support of the Schumer-Royce amendment eliminating funds for market promotion programs. The 104th Congress has been constantly struggling to get corporate welfare out of the budget. Last year we missed a perfect opportunity to prove to the American people how serious we are about cutting spending by failing to get rid of the Market Promotion Program. Believe it or not, Mr. Chairman, the Market Promotion Program is worse than corporate welfare. At least most corporate welfare dollars are spent in the United States. The Market Promotion Program, on the other hand, takes precious tax dollars and spends them overseas to pay for advertising of American companies like Sunkist, Gallo Winery, and McDonald's.

The self-serving argument goes that scarce tax dollars are being spent to convince people in faraway lands to buy American products. Is it a legitimate role for the Federal Government

to act as an ad agency for a multi-million dollar corporation? I think not. The last thing we need to do is for the hard-working taxpayers of America to find themselves footing the bill for the promotion of wealthy companies' products. Let them promote their own products at their own expense. It is time to stop using scarce tax dollars to convince the French to buy Le Big Mac. Let us show the American people instead that we are truly serious about balancing the budget and, by getting the Federal deficit under control, we can get the Federal deficit under control by being responsible and eliminating programs like the market promotion program that are not necessary for the Federal Government to do, that should be left to those big corporations to pay for their own promotional and advertising costs.

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

Mr. Chairman, I strongly oppose this amendment as I have done many other times the gentleman has offered it or a similar version.

USDA predicts that American agricultural exports will earn a net of more than \$30 billion for our trade balance this year. We are headed toward \$60 billion a year in exports, an all-time record. The Market Access Program, as it is renamed in the new farm bill, has a lot to do with that success.

This program is responsible for tens of thousands of jobs in food production, processing, and transportation. It has been strongly supported by several administrations and by a solid bipartisan majority in Congress.

Under the new World Trade Organization rules, it is one of the few programs that are legal anymore so I fail to see the reason for unilaterally giving it up when other countries are doing the very same thing.

Finally, Mr. Chairman, I would refer the gentleman to the new farm bill where the authorizing committee has made major changes to reform the program and make sure funds are directed to small and not-for-profit organizations. The program level has also been reduced by almost 20 percent to \$90 million.

I urge all my colleagues to vote "no" on the Schumer amendment.

□ 1445

Mr. Chairman, I yield to the gentleman from California [Mr. BROWN].

Mr. BROWN of California. Mr. Chairman, I thank the gentleman from New Mexico [Mr. SKEEN] for yielding, and I would rise in very strong support of the position which he has taken and for two reasons, one of which he has already dwelled on, and that is this country today is facing a situation of strong competition from around the world in every field, including agriculture, and if we do not do our very best to assist the farmers and, by extension, the business community in this entire country to deal with that competition around the world, we are

going to end up with severe economic damage as a result of that.

Now, this is the general and national position that I take. I hate to be parochial, but this program is extremely important to California. We probably have a major part of our agriculture in California that goes into the export market, particularly into Asia, but also other parts of the world as well. That includes our citrus, our grapes, our fruits and vegetables, all other things of that sort, and I would be remiss if I did not point out at least to every Californian that a vote in favor of this amendment is very detrimental to the economic interests of California.

Mr. SCHUMER. Mr. Chairman, I yield myself 6 minutes.

Well, Mr. Chairman, it is *deja vu* all over again. Six years ago the 1990 farm bill took one of the most ludicrous Federal programs known as targeted export assistance, and instead of reforming it or eliminating it, we changed its name and hoped no one would notice. And this year, in our own congressional version of the Federal Witness Protection Program, we did it again. Behold, now we are going to call it the market access program.

Mr. Chairman, the hasty reformer who does not remember the past will find him or herself condemned to repeat it. In 1986 Congress created the Targeted Assistance Program, or TEA. This \$300 million per year boondoggle passed during a time when ridiculous provisions were routinely added to farm legislation to win support. In this case, a lot of the California folks came over and said, "We do not have a program. Wheat has a program, and soybeans has a program, and milk has a program, but what about our stuff? Wine and fruits and things like that? Almonds? Nuts?" And so they created this program. But the TEA program was so bad it did not pass the laugh test. It became the poster child for corporate welfare by giving no strings attached grants to huge agribusinesses to advertise their products overseas.

In 1990 Congress responded to mounting criticism by, lo and behold, changing its name to the market promotion program, or MPP. But old habits are hard to break. USDA checks flowed in the millions of dollars to Sunkist and Dole, M&M Mars, Blue Diamond, Gallo Wine, Campbell Soup, Fruit of the Loom, and a tiny mom-and-pop business hamburger chain called McDonalds.

Over the course of the 4 years, GAO issued three reports on TEA and MPP, each one worse than the last. According to GAO, USDA rarely evaluated any of the 1.25 billion grants it made. There was no evidence the grants led to increased exports. Can my colleagues believe this? The whole name of this program is for exports; they did not find a single bit of evidence it led to increased exports. USDA gave buckets of money to the same companies each year, and the companies treated the grants in a sloppy and haphazard manner.

My favorite, the California Raisin Board. They used their \$3 million to air their famous Claymation dancing raisin ads in Japan. My colleagues remember the ads. They were a hit in the United States. I am sure my colleagues remember those dancing raisins singing "I heard it through the grapevine." But the ads were a bomb in Japan because unfortunately these raisins were not bilingual. They sang in English to a baffled Japanese audience who, one, never heard of Marvin Gaye; two, never saw a raisin; and, three, did not understand English. They put these ads in English on Japanese television because they had free money. Why not?

Anyway, the Raisin Board conducted no market research because they were using taxpayer dollars, not their own. If they used their own money, they perhaps would have learned that the Japanese, having never seen an actual raisin, would not recognize a gargantuan singing raisin.

Now that brings us to this year, the freedom to farm act, renamed MPP again, this time as the market access program, or MAP. That is three farm bills and three names, for those of my colleagues keeping score. Call it MAP, call it MPP, call it TEA or any other name, it still spells W-A-S-T-E, waste. Funds are still going to profitable brand-name products. This year Pepperidge Farm, Entemann's Cakes, Ocean Spray, Tootsie Roll, Welch's, M&M Mars, Pillsbury, Campbell Soup, and Hershey all received grants.

Now, there is some good news. MAP is funded at \$90 million, which is much less than the historical levels for MPP and TEA, and more of the funds are going to smaller companies in cooperatives. But this year, when we are struggling to cut the budget in so many worthwhile areas, better is far from good enough. The whole premise of the program is wrong. At a time of 12-digit deficits, we should ask our constituents should Congress award \$14,000 to promote beef jerky?

Mr. Chairman, does beef jerky equal reform?

We do not need the Market Access Program, and we all know it. Pillsbury and Sunkist and Blue Diamond and Gallo will still advertise overseas. Dole, SunSweet, and Fruit of the Loom will still make a profit. The makers of beef jerky did not need a subsidy to advertise Slim Jims in the United States, and they will not need it overseas.

Last year, we exported \$54 billion of agriculture products; that is great. This year the projection is a record high \$60 billion. USDA and proponents of MAP argue that corporate welfare subsidies are the reason for our record exports. That is clearly not the case. The program is not needed, and I urge that we support this amendment and put this program, once and for all, to its deserved kindly, but certain, death.

Mr. SKEEN. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. WALSH].

Mr. WALSH. Mr. Chairman, we have all afternoon heard about these terrible

corporate welfare programs. The reformers are out to knock off these corporate welfare programs and sugar and tobacco and peanuts, and now apples and grapes. Do my colleagues not understand that what we are doing is we are going after the American farmer?

My distinguished colleague from downstate New York, where all the people are, does he realize that upstate New York is where a lot of the food comes from, and he is well in the same State, and when he comes upstate to talk about whatever it is that he wants to talk about, we are going to remind him that the farmers in upstate New York benefit from these programs. These are small farmers.

We heard the gentlewoman from North Carolina [Mrs. CLAYTON] talk about the peanut farmer who is going to be hit when we went after these big corporations. American corporations are in a global market. When in a market place, there is need to advertise; if in a global market, advertise globally.

The apple farmers in New York State and Washington State and Oregon and Michigan have benefited from this program. Let me just cite one example. A couple of years ago the French apple crop failed. Many of those apples found their way to Israel. The New York State Commissioner of Agriculture, using market promotion funds, was able to go to the Israel marketplace, put our best foot forward, and we sold that market millions of dollars' worth of apples. That was a successful program.

There is nothing wrong with American corporations making money. That is what capitalism is all about. And if we are going to make money overseas in a global marketplace, let us advertise globally, and the gentleman paraphrased Santayana about learning from history. If the gentleman would learn from history, he would understand this amendment failed last year and the year before, and I expect it to fail again.

I urge a "no" vote.

Mr. SCHUMER. Mr. Chairman, I yield myself an additional minute.

I would just like to respond to the gentleman from upstate New York, a great place that, he is right, I have visited on occasion. I have the list of all the programs that New York State benefits from, not a single farmer, not a single small business person, although I will say this:

In my own district of Brooklyn they have Minkowitz Services, gets \$5,000. I do not know who Minkowitz Services is, but I am sure he deserves a cut just as much as the upstate folks, the upstate businesses to get it.

Free enterprise, I would remind the gentleman, and then I will yield to him, means free enterprise, not Government subsidy, and I am sure his constituents in Onondaga County accept that premise, we should all accept it.

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

Mr. WALSH. We are not going nearly far enough to support American agriculture. We have 2 percent of the population of this country feeding the world, and we need to do all that we can to support this activity.

Mr. SCHUMER. Reclaiming my time, supporting agriculture by these kind of subsidies is a waste. It does not support it.

Mr. SKEEN. Mr. Chairman, I yield 4 minutes to the gentleman from North Dakota [Mr. POMEROY].

Mr. POMEROY. I thank the gentleman from New Mexico for yielding this time to me.

Listening to my good friend from Brooklyn give a history of agriculture export programs has got the same ring of authenticity that my analysis of the New York subway system might have. In fact, when he says in his comments, cites the song "I Heard It Through The Grapevine." I think "I Heard It Through The Grapevine" must be the source of his information about what we are doing to this program.

We have heard the gentleman's speech before; in fact, I think the same speech before, but we have gone to the Committee on Agriculture and we have reworked this program. We have cut the funding by 20 percent. We have directed the funding provided be limited to ag co-ops and associations. We focused on high-value meats, vegetables, wines, and fruits because that is where the value-added jobs that increase the benefit of this program are.

Our trade competitors across the world must look at this debate in absolute amazement. United States of America, the largest trade imbalance in the world, and what do we want to do? We want to unilaterally disarm our own export enhancement efforts. Europe outspends us 5 to 1 today, and what do we want to do? The gentleman from New York wants to reduce our effort. That is crazy.

We have tried to fix the program and, I believe, have made a very meaningful attempt to address any criticism that could be launched on this. But let us just look at the track record of what we have already accomplished: \$5.6 billion of exports attributed to this program, \$16 in exports for every \$1 invested, and because we are talking about value added, we are not just talking about raw ag product, we are talking about the men and women that go to those processing plants every single day, make a living, and there is a lot more of those jobs because the opportunity out there for U.S. agriculture is fantastic if we do not just throw in the towel and walk away.

Do not throw in the towel. Reject this amendment. Stand by the move to increase our ag exports.

Mr. SCHUMER. Mr. Chairman, I yield 4 minutes to the gentleman from California [Mr. ROYCE], cosponsor of this amendment.

□ 1500

Mr. ROYCE. Mr. Chairman, traditionally the battle cry for business in

America has been "Get government off our backs." However, some corporations have been publicly demanding less Government interference while quietly seeking millions of taxpayers' dollars to finance their business endeavors overseas. A wealthy corporate executive in a pin-striped suit is not exactly what most people would think of as a typical welfare recipient. However, some Fortune 500 companies are lining up at the public trough to get their share of the millions of dollars being given out through the Federal Government's market access program to subsidize their overseas advertising budget.

The numbers are not insignificant. I will share with the Members that since 1985, 1¼ billions of dollars of Federal money has been spent on this program. We are fighting a \$5 trillion debt that has dragged our economy to a point where the economic growth is a crawl. Five trillion dollars, and here is 1¼ spent since 1985.

Mr. Chairman, we have offered this amendment to eliminate one of the most egregious corporate welfare programs, with the hope that a trend will develop which would further rid the private sector of an intrusive government. The Federal Government first began financing corporate advertising in 1985 with the targeted export assistance. It was established to encourage commercial export markets for U.S. farm products. Then, after a critical audit of the General Accounting Office, it was changed to the market promotion program. Then, after another critical audit, it was changed to the market access program in 1996.

The names may have changed after every audit, but the program has not. Not unlike most good-intentioned Federal programs, Federal funding of advertising turned out to be just another Government handout. Instead of promoting generic agricultural products like wheat and corn, a majority of the budget has gone to brand name corporate advertising of the most well-known American corporations.

Despite the amount of money that has gone into MPP, the General Accounting Office, in assessing the program, concluded that "There is no clear relationship between the amount spent on MPP and the levels of exports." In a separate report, the GAO questioned whether MPP funds are actually supporting additional promotional activities or if they are simply replacing private industry funds.

MPP is typical of a bureaucratic program run amok. This should not come as a surprise to us. Whenever the Government attempts to help business, the inevitable result is reduced efficiency due to weakened market incentives. If overseas promotion is so critical to a particular product's market, then companies would, in considering their rate of return, invest their resources there.

Because MPP funds are, in essence, free money, corporations have no incentive to spend it wisely. We have already heard the example, and I doubt

that the raisin industry would have spent \$3 million of their own money as carelessly in the Japanese market. That is not likely.

Mr. Chairman, Government has no business deciding which companies are worthy of advertising funds. That is precisely what the free market is there to do, to allocate resources in the most efficient way possible. The Government ought not to be taking tax money from companies to finance the advertising of their competition, which is the direct result of redistribution.

Our amendment to eliminate MAP enjoys support from across the philosophical spectrum. Everyone, from the Progressive Policy Institute and Friends of the Earth to the Cato Institute and Citizens Against Government Waste, agree corporate welfare must be eliminated, and the best place to start is by cutting funding of Government-subsidized advertising.

If we are truly committed to balancing the budget and downsizing the Federal Government, we must be willing to attack corporate welfare and take companies like Pillsbury and Tyson Foods off the public dole.

Mr. SKEEN. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. RIGGS].

Mr. RIGGS. Mr. Chairman, the gentleman from New York and my good friend, the gentleman from California, both suggested that the Market Access Program, as we now know it today, is somehow unnecessary or wasteful. But let me quote the Secretary of Agriculture and our former congressional colleague, Dan Glickman:

Longstanding competitors like the European Union and Canada are using market promotion and credit programs as well as monopoly marketing boards to compete aggressively for international markets. Even less traditional exporters are becoming more aggressive. We cannot eliminate unilaterally our export assistance efforts at a time when the competition is increasing its investments in these areas. It would be pennywise and pound foolish, and just plain stupid.

His remarks are general in nature, Mr. Chairman, but they certainly apply to our U.S. wine industry, which I think most Members know produces an award-winning high value product that competes with the best in the world. The problem, Mr. Chairman, is that many wine-producing countries have established both tariff and nontariff barriers that prevent American wine from competing on a level playing field. In other words, they have access to our markets. We just do not have access to theirs.

According to the U.S. Department of Agriculture, in 1995 the European Union subsidized exports to the tune of \$94 million. That figure is comparable, as other speakers have already pointed out on the floor today, to what the United States spends for all agricultural export promotion. In addition, the European Union supplements that \$94 million where individual countries also contribute to wine promotion. So we are not talking about a level play-

ing field here. If we were, those of us who believe strongly in this program would not be out here fighting this fight.

The Market Access Program is the only Government program that the American wine industry utilizes. It is a dollar-for-dollar matching partnership that works, with over 100 wineries participating. As I said earlier today, the five largest wine recipients of these funds purchase over 90 percent of their grapes from small, independent grape growers.

One other point I would like to add for my colleagues. Apparently Members are not familiar with the reforms we made to this program in conference last year, in the House-Senate conference on the agricultural appropriations bill, the 1997 bill. If Members would like to see these reforms, please come see me. I have the exact language here which limits these funds, and should address the legitimate criticism that has been made of this particular program.

We very carefully restructured this program last year, and yes, not only did we change the name, but we also included language prohibiting for-profit corporations from direct participation in this program and giving small businesses priorities, while requiring that those small businesses participating in the program match any Federal funding assistance on a dollar-for-dollar basis.

Mr. Chairman, this is not corporate welfare, it is a valuable resource for small farmers in highly restrictive foreign markets.

Mr. SCHUMER. Mr. Chairman, I yield 1 minute to the gentleman from Wisconsin [Mr. BARRETT].

Mr. BARRETT of Wisconsin. Mr. Chairman, this is not a difficult issue. For my friends on this side of the aisle who have been screaming for months that Uncle Sam should get off their back, this is the time for them to get their hands out of Uncle Sam's pockets. There is no reason for Uncle Sam and the people of this country to subsidize companies for marketing overseas. If they are going to be making money overseas, they are going to continue to advertise. There is no reason in the world for us to underwrite that advertising.

For my friends on this side of the aisle who are concerned about restructuring and downsizing, this is corporate welfare. This is exactly what we are saying we do not want to have happen in this country. We think that our country can compete. For those who say that there are tariff problems with industries like wine, then let us address those problems. Let us talk about the tariff problems. Let us address them head on. But let us not give one segment of our economy an advantage over another.

Mr. Chairman, I come from a district that does not benefit greatly from this program. Why should the producers in my district not benefit, while pro-

ducers in other parts of the country benefit? I think we should have a level playing field and not have the U.S. Government subsidizing for-profit companies.

Mr. SKEEN. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. DOOLEY].

Mr. DOOLEY. Mr. Chairman, I rise in strong opposition to this amendment. Let us take a look at U.S. agriculture. Currently one out of every three acres that is cultivated in the United States is used for the production of crops which are exported. Last year agriculture exports hit \$60 billion in the United States. When we look at the growth that we are seeing in exports, in China alone we saw a 175-percent increase in U.S. exports; in Korea, 74 percent; in the Pacific rim, 33 percent.

What we are talking about with the market assistance program is to ensure that the U.S. farmers have equal access to those markets. We have heard speaker after speaker talk about what our international competitors are doing. They are outspending us by six to one. If we are going to provide the farmers with the assistance they need to ensure they can take on these unfair practices by other countries, we have to provide the market assistance program.

When we look at it in terms of benefits, what it has provided, a recent USDA study has shown that every investment, every dollar invested in the market assistance program, has generated \$16 in increased sales. For every \$1 billion in agricultural exports, we have generated over 20,000 new jobs. I think it is clear that the Market Assistance Program is a good program for agriculture, it is a good program for farmers.

A gentleman earlier said there are no farmers listed as the primary beneficiaries. I can tell the Members, if you are a cotton farmer, you are not going to be making that sale to China. You are going to be working through a cooperative. You are going to be working through a major company. The same thing if you are a prune grower. You are going to be working through Sunsweet. If you are a raisin grower, you are going to be working through Sunmaid. If you are an almond grower you are going to be working through Blue Diamond. You are not going to have the ability and resources to enter into those international markets.

The market assistance program does this: It provides that financial assistance that ensures that the small farmers of this country, working in cooperation with the businesses of this country, can ensure that we will see the promotion of U.S. agricultural products.

Mr. SKEEN. Mr. Chairman, I yield 1 minute to the gentleman from Washington [Mr. NETHERCUTT].

Mr. NETHERCUTT. Mr. Chairman, I thank the chairman for yielding time to me.

Mr. Chairman, the elimination of the Market Access Program means the

elimination of jobs. It is just that simple. We have heard a lot of talk here this afternoon by proponents of this amendment who talk about corporate welfare. What this Market Access Program really does is help employ people in the United States as we export our agriculture products overseas. It is just that simple.

The gentleman from California who spoke in favor of this amendment, 137,000 people in his State depend on the Market Access Program and export-related jobs; the gentleman from New York, 8,300 jobs; the gentleman from Wisconsin, 27,500 jobs directly related to agriculture export jobs.

Let us be serious about this. We have again this year come to the same place we were last year trying to eliminate a program, a modest program that is going to help American jobs overseas and help us export our products overseas. That is what we ought to be doing. We ought to reject this amendment wholeheartedly.

Mr. SKEEN. Mr. Chairman, I yield 30 seconds to the gentleman from California [Mr. BROWN].

(Mr. BROWN of California asked and was given permission to revise and extend his remarks.)

Mr. BROWN of California. Mr. Chairman, I appreciate the gentleman yielding me the time.

Mr. Chairman, I take this time, although I have already spoken once, to point out that this morning I was on a panel looking at the problems of export promotion in another area, in the Department of Energy. We had eight leading businessmen from this country, each one of whom, and they are mostly Republicans, testified to the fact that the assistance that they were getting from the Department of Energy in terms of promoting their products overseas, was invaluable to them. They thought that we should have more of them, not less. That applies to agriculture as well as to energy and the environment.

Mr. SKEEN. Mr. Chairman, I yield 30 seconds to the gentleman from California [Mr. FAZIO].

Mr. FAZIO of California. Mr. Chairman, I stand in opposition to this amendment. We all know that agricultural exports are vital to this country, to the strengthening of farm income, providing jobs. They generate \$100 billion in related economic activity for every dollar we spend, and what we spend on MAP is now down to \$90 million. We get \$16 back in additional agricultural exports for every one of those dollars.

We are backing out of the world market at a time when the rest of the world, in GATT-compatible fashion, is investing more money. This is a blind approach to cutting spending. Under the rubric of corporate welfare, we are shooting ourselves in the foot and putting American workers out of jobs. We ought to defeat this once again—once and for all.

Mr. Chairman, I rise in opposition to this amendment which would eliminate the Market

Access Program, formerly known as the Market Promotion Program.

Every year, we see these shortsighted attempts to reduce or eliminate the Market Access Program.

This is a mandatory program established by the Agriculture Committee at \$90 million. It has been reduced significantly from a funding level of \$200 million just a few years ago and an authorized level of \$350 million.

The so-called reformers of this program have sought to whittle away at this program until we can no longer recognize it.

Unfortunately, such a continued assault will render it less and less effective. Yet it is a program which works well to expand U.S. agricultural exports, garnering \$16 in return for every \$1 invested.

Since 1993, the House has acted to take into account concerns of critics of the program, and these reforms have now been embodied in the 1996 farm bill.

We have made sure the funds go to U.S. companies.

We have made sure the funds are not merely substituting for funds for market promotion that were already going to be spent.

And we have specified that only farmer-owned coops, trade associations, or small businesses can be the beneficiaries.

I believe these changes have satisfied most, if not all, of the reasonable complaints made against this program.

I am particularly pleased that the House has voted repeatedly over the last few years to keep this important program alive in the face of such opposition, and I hope we will be smart enough to do so again this year.

American agriculture leads the world in productivity and in total production. Agriculture accounts for our greatest export dollar. Agriculture and related food and fiber industries employ more Americans by far than any other industry.

However, one area in which we are falling short—and this has been analyzed by agriculture experts, the GAO and others—is promotion for our agricultural products overseas.

In particular, we need promotion for so-called “value-added” agricultural products. This is an area where our competitors in the European Union and Asia are making enormous promotion investments and reaping enormous returns. It is an area where we should be doing much more.

The Market Access Program is the program that fills this need.

Agriculture exports, projected to exceed \$50 billion again this year—up from \$43.5 billion for fiscal year 1994—are vital to the United States.

Agriculture exports strengthen farm income. Agriculture exports provide jobs for nearly a million Americans.

Agriculture exports generate nearly \$100 billion in related economic activity.

Agriculture exports produce a positive trade balance of nearly \$20 billion.

If U.S. agriculture is to remain competitive under GATT, we must have policies and programs that remain competitive with those of our competitors abroad.

GATT did not eliminate exports subsidies, it only reduced them.

The European Union spent, over the last 5 years, an average of \$10.6 billion in annual export subsidies—the U.S. spent less than \$2 billion.

The EU spends more on wine exports—\$89 million—than the U.S. currently spends for almost all commodities under the now-renamed Market Access Program.

MAP is critical to U.S. agriculture’s ability to develop, maintain, and expand export markets in the new post-GATT environment, and MAP is a proven success.

Our experience with the Market Access Program in California is very instructive.

MAP has been tremendously successful in helping promote exports of California citrus, raisins, walnuts, almonds, peaches, and other specialty crops.

MAP permits small producers to pool the promotion efforts for particular commodity groups.

It may allow them to pursue new markets—markets they could not have pursued otherwise.

It may leverage their promotion efforts in a particular market that are already underway.

We have to remember that an increase in agriculture exports means jobs: a 10-percent increase in agricultural exports creates over 13,000 new jobs in agriculture and related industries like manufacturing, processing, marketing, and distribution.

The measure of any government program has got to be performance.

The Market Access Program performs.

For every \$1 we invest in MAP, we reap a \$16 return in additional agriculture exports.

MAP limits participation to 5 years—that means commodity groups will not grow dependent on MAP, but will use those funds wisely to put in place long-term, industry-wide promotion efforts.

MAP requires a cost-share—participants, including farmers and ranchers, must contribute as much as 50 percent of their own resources for branded advertising and cannot substitute MAP funds for investments they intended to make in the first place.

MAP is accountable—independent audits and ongoing reviews ensure that the program remains effective and remains true to the intent of Congress.

In short, MAP is an effective program. If anything, we should be bolstering our commitment to value-added market promotion overseas instead of constantly whittling back our efforts in the face of significant investments by our competitors.

I strongly urge my colleagues to support American agriculture, support smart marketing efforts to promote American exports, support American farmers and producers, and oppose this amendment.

Mr. SCHUMER. Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts [Mr. MEEHAN].

Mr. MEEHAN. Mr. Chairman, for over a year now, we have been debating in this Chamber how to balance the budget. Democrats and Republicans have been trapped in a stalemate, arguing how to cut Government programs without harming the poor, the elderly, without sacrificing the environment. The majority party has proposed cutting vital programs for education, child nutrition, all in the name of deficit reduction. Yet today, here we are again, fighting an uphill battle to end one of the greatest corporate boondoggles in our budget, the renamed but certainly not repealed Market Access Program.

There were 300 Members in this Chamber who voted for a balanced budget amendment. That did not take courage. They come in, vote for a balanced budget amendment. The challenge we face as a country is how to balance the budget. This Market Promotion Program is a flagrant misuse and misallocation of funds. Anyone who voted for a balanced budget should not come into this Chamber day in and day out to keep corporate subsidies in the budget. Let us stand up and take a stand. If Members voted for a balanced budget, have the courage to balance the budget.

□ 1515

Mr. SKEEN. Mr. Chairman, I yield the balance of my time to the gentleman from Illinois [Mr. DURBIN].

The CHAIRMAN. The gentleman from Illinois is recognized for 1½ minutes.

Mr. DURBIN. Mr. Chairman, let me say to my friend, the farmer from Flatbush, that he really should get out into the real world of agricultural competition. I know he stays close at home in Brooklyn and in New York. But had he joined me in a visit to Asia, he might have found that many countries such as France are outpacing the United States 3-to-1 to win market share in Korea, in Japan, in China and in so many other places.

We have reformed this program dramatically. We have pushed for companies that are new to export, we have pushed for small companies, and the gentleman may make light of some of these companies, but frankly, by themselves they would never have a chance in the world market.

When we consider the fact that our ag exports are so important when it comes to our trade balance, and when we consider the fact that our consumer food products that we are exporting have increased so dramatically over the last several years, what the gentleman from New York, my big-time agronomist from the Big Apple, fails to realize is that to eliminate this Market Access Program would literally eliminate jobs and opportunities in the United States. I hope he will reconsider this ill-considered amendment, and I hope that the grower from Gotham next year will not be offering this amendment as he has in previous years.

Mr. BALDACCI. Mr. Chairman I rise today in opposition to the amendment offered by my colleagues, an amendment that would gut the market access program.

We revisit this issue annually.

I'd like to point out a few things about MAP, which used to go by the acronym MPP. Over the past several years, Congress has mandated several reforms. These changes help small businesses and co-ops, limit branded promotion activities and increase the cost share requirements for private firms. On top of that the authorized level of spending was cut \$20 million in the 1996 farm bill.

But step back and look at the larger picture. The farm bill that was signed into law a little

more than 2 months ago made sweeping changes in agriculture policy. An integral part of those reforms was increasing the focus on exports.

American farmers are competing for market share in countries around the world. They are competing against farmers in countries that provide far, far deeper subsidies.

In my home State of Maine, potato farmers are suffering at the hands of subsidized Canadian imports. One bright spot is the potential for overseas outlets for Maine potatoes. The industry is exploring options. They need assistance in gaining access to those markets.

I recently talked to a friend of mine, Rodney McCrum who farms 650 acres of potatoes in Aroostook County, ME. I asked him about MAP.

He said, and I quote, "That program really expands the world market to create jobs here in Maine. We just get so much bang for our buck."

In the past decade the value of U.S. potato exports has increased nearly six-fold, reaching more than half a billion dollars that has come about in large part as the result of the pooling of industry money and funds from the old MPP program.

We need to build on that success. We need to continue to ensure that U.S. agriculture continues to be competitive overseas, that our agriculture exports continue to exceed our imports, that our farmers remain the best in the world.

I urge you to oppose the amendment.

Mr. HASTINGS of Washington. Mr. Chairman, I rise in strong opposition to this amendment. The Market Access Program is critical to the continued expansion of U.S. agricultural exports, and is one of the few Government programs that really works. Virtually all funding is used to combat unfair trade practices, and the amount we are spending is almost nothing in comparison to the huge export subsidies of our foreign competitors. Our trading partners would love to see funding for this program reduced. In fact, it has already been reduced by over two-thirds since it was first enacted.

The fact is, the Market Access Program has proven to be an effective method of expanding our agricultural exports. It has sustained American jobs and contributed to the reduction of our trade imbalance.

For every \$1 in MAP funding, sales of U.S. exports increase by \$16. Ultimately, the increased economic activity created by the Market Access Program supports as many as 28,000 American jobs through expanded exports.

The argument has been made that the types of promotional activities implemented through the MAP will go on regardless of Government funding. However, my colleagues should understand that the participants match the Government funding on a one-to-one basis. The argument also ignores the fact that the program is targeted towards nations which utilize unfair trade barriers, such as Japan and the European community. To cite just a few examples, my colleagues may be interested in the following MAP success stories from my State of Washington alone:

In Mexico, MAP funds helped boost United States exports of apples from just 574,000 cartons to over 4 million cartons in just 1 year.

In Egypt, MAP funds helped convince potential buyers of the quality and value of United States wheat flour—leading to contracts for 427,000 metric tons of flour in 1993.

In Germany, MAP funds supported market development and awareness activities—leading to an increase of United States asparagus exports of 14 percent.

I urge my colleagues to support economic growth and jobs by opposing amendments to eliminate funding for the successful Market Access Program.

Mr. LOBIONDO. Mr. Chairman, I rise in strong support of the Schumer-Royce amendment to cut the \$90 million appropriated from the Market Access Program, formerly the Market Promotion Program.

Last July, I cosponsored the Zimmer-Schumer amendment to defund this program, and although the program has a new name, it is still a misuse of taxpayer dollars.

The essence of the Market Promotion Program has not changed. In fact, this is the second name change this program has undergone—it began its life as the Targeted Export Assistance Program. It's still a giveaway, and it's still unfair to taxpayers and to other businesses trying to compete abroad.

Mr. Chairman, this is not a loan program. This program is a giveaway to U.S. businesses, which use public money to advertise their goods abroad. There are other export assistance programs available to U.S. businesses. This program is uniquely flawed.

Termination of this program is supported by the GAO, the CBO, the Grace Commission, Citizens Against Government Waste, and the National Taxpayers Union. As far as I'm aware, these organizations did not recommend simply renaming the program; they believe it is corporate welfare and support its elimination. Let's save \$90 million.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. SCHUMER].

The amendment was rejected.

AMENDMENT OFFERED BY MR. DURBIN

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

The Clerk read as follows:

Amendment offered by Mr. DURBIN: Page 69, after line 5, insert the following new section:

SEC. 734. For an additional amount for the Department of Agriculture (consisting of an additional \$22,500,000 and \$2,500,000 for "Rural Utilities Assistance Program" and "Distance Learning and Medical Link Program", respectively), and none of the funds made available in this Act to such Department may be used to carry out or pay the salaries of personnel who carry out any extension service program for tobacco or to provide or pay the salaries of personnel who provide crop insurance for tobacco for the 1997 or later crop years, \$25,000,000.

Mr. SKEEN. Mr. Chairman, I ask unanimous consent that debate on this amendment and all amendments there-to close in 90 minutes and that the time be equally divided.

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

Mr. MEEHAN. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. DURBIN. Mr. Chairman, some 1,500 different crops are grown in the United States of America. The Department of Agriculture gives 60 of those 1,500 crops special treatment. For those crops, those 60 crops, we have many

programs, including the Crop Insurance Program.

The purpose of my amendment today is to delete one crop from that list. The crop I am speaking of is tobacco. Why would I single out tobacco of all the things grown in America? Because tobacco is not like any other agricultural product. It is neither food nor fiber. It is in fact the only legal product sold in the United States which, when used according to manufacturers directions, will kill you. Tobacco is not just another agricultural crop.

My friends who will stand today in defense of tobacco and its programs will speak at great length about equity and fairness. Let me tell you about the equity and fairness of tobacco.

At this very moment there are young people who are listening to this debate. They have a vested interest in this debate.

Each year the tobacco companies, with this tobacco product, have to lure these children into a lifetime addiction that will kill 1 out of 3. Each day in the United States 3,000 children start smoking for the first time. Think about it, parents of America. Think about it. If your child came home tonight and said, "Mom, Dad, I've got great news, I just started smoking," how many of us would stand up and say "Congratulations, we were hoping that you would make that decision." My colleagues know better, and so do I.

Four hundred thousand Americans will die this year from tobacco-related diseases. It is the No. 1 preventable cause of death in America.

Also in the Chamber, sitting in the seats today, are the lobbyists for the tobacco companies and the tobacco growers. They are the heavy hitters in this town. They have more money than friends, but we will see a lot of their friends on the floor today. They will tell us in debate that the Federal Government does not subsidize tobacco. That is not true. Let me tell you specifically why it is not true.

We will spend this year \$98 million on a variety of programs subsidizing tobacco. The single most expensive is crop insurance. Follow me. A tobacco grower plants his crop and buys crop insurance and pays a premium. Then if the crop fails, from drought, flood, pests, whatever it is, he will expect to collect on his insurance policy. But when we add up all the premiums paid by tobacco growers and then we add up all the money paid by the Government when the crop fails, guess what? They do not match. We taxpayers step into this situation and put \$68 million on the table to subsidize tobacco and tobacco growth.

Some of my friends have passed around some "Dear Colleagues" about the Durbin amendment. One of the statements here is that tobacco growers would be the only farmers in the Nation without access to crop insurance. I am sorry. They should have checked the facts. One thousand five hundred different crops in this country

and only sixty are covered by crop insurance.

The Durbin amendment, and I have many of my friends, the gentleman from Utah [Mr. HANSEN] on the Republican side, and others who have joined me in this amendment, says that the tobacco crop will no longer be covered by crop insurance. What does it mean to my colleagues?

When you go to your town meetings and the person stands up and says, "Congressman, explain something to me, if you will. If tobacco is killing our children, if it is the No. 1 preventable cause of death in America, why does the Federal Government still subsidize to the tune of \$90 million a year the growth and production of tobacco products?"

Most Congressmen will say, "Oh, but we don't."

They are wrong. We do.

Many of them will say, "we should not."

By voting for the Durbin amendment today, they will be able to put an end once and for all to this Federal subsidy of crop insurance for tobacco.

The CHAIRMAN. The time of the gentleman from Illinois [Mr. DURBIN] has expired.

(By unanimous consent, Mr. DURBIN was allowed to proceed for 3 additional minutes.)

Mr. DURBIN. Mr. Chairman, behind me on this podium, you may not be able to see it, carved into the wood, are nothing short of tobacco leaves. The people who designed this Chamber 100 years ago thought that this was such an important part of the American political scene, they put it permanently in place. You will find it, too, as you tour this Capitol, at the top of the columns, tobacco leaves. Tobacco has always enjoyed, I guess, a special place in the politics of America. But I think the American consumers and taxpayers have had their fill of the tobacco growers and the tobacco companies. As we witness day in and day out our families and friends afflicted by diseases related to tobacco, we understand this is not just another agricultural product. As we see these tobacco companies openly deceive American consumers about their products, we understand this is not just another product. As we realize that over half of the smokers in this country started smoking before the age of 16, when we realize that the starting average age for a person to use spit tobacco, those little round cans, is 9 years old in America, we understand what we are up against. We are up against a product that has to be treated differently. It should not have a privileged place in this town or in this Government. If the tobacco growers want to continue their program at their own cost, God bless them. If they want to continue their crop insurance at their own cost, God bless them. If adults want to choose to smoke, and I hope they do not, but if they want to, God bless them. But, Mr. Chairman, the rest of us, the taxpayers of this

country, should not be footing the bill to subsidize this deadly product. Today Members of Congress who have been preaching about balanced budgets and deficit reduction for months around this place have a chance to put up or shut up. This Durbin amendment gives them a chance to save at least \$25 million a year and to say to the taxpayers once and for all when they ask the question, "Why do you subsidize this deadly product?" We did, until we passed the Durbin amendment, and we stopped.

Mr. ROGERS. Mr. Chairman I rise in opposition to the amendment.

Mr. Chairman, the Durbin amendment is the same amendment that this body rejected last year out of hand, it is the same amendment the committee just last week rejected out of hand, and it is the same amendment that today this body is going to reject again out of hand. I will tell you why. The Durbin amendment has nothing to do with smoking. It has nothing to do with the health hazards of smoking. It has nothing to do with whether or not you think you have the right to smoke or not. Smoking is not involved here. What is involved here is singling out by this sinister amendment small poor farmers who in the main have no other way to earn a living for their family. This amendment does not get at big tobacco companies. I will say that again. This amendment does not get at big tobacco companies as has been stated. In fact, it plays into their hands, because it would cripple the small growers in this country and favor the big companies who would love to grow the tobacco in this country and more importantly outside this country and ship it here and sell it for dirt cheap prices.

So the Durbin amendment, I would say to you, favors big tobacco companies. They have been wanting this a long time, to run these small farmers out of the business. Without this program, small farmers will not be able to grow tobacco. The Congress has protected that right ever since we have been here almost. So this amendment plays into the hands of big tobacco.

If you want to see cheap cigarettes, you bring in this imported tobacco, grown under no telling what kind of conditions, pesticides you would not dare let on crops in this country, you are going to bring in poisoned tobacco and you are going to bring in tobacco that is dirt cheap and you are going to drive down the price of cigarettes until everyone can say, even kids, "Hey, I can afford to smoke now."

So I say to the gentleman from Illinois [Mr. DURBIN], your amendment will promote smoking. It promotes big tobacco companies. We are standing here telling you that if you pass the Durbin amendment, you are singling out the very small, poor tobacco growers in this country to the favor of big tobacco companies and foreign growers all over the world.

This amendment does not save you money. The no-net-cost program—and

the gentleman from Illinois [Mr. DURBIN] knows this—passed through this Congress a few years ago that says the tobacco program will cost nothing to the American taxpayer.

The gentleman says that in his amendment we will not let ASCS employees talk to a tobacco farmer. That tobacco farmer may also grow corn or soybeans or wheat, and what have you but the ASCS employee cannot go out there and talk to him because he grows tobacco. We may have to send a policeman out there with him to be sure that they never mention tobacco. But the tobacco program does not cost you. The no-net-cost program prevents that. Tobacco does bring into the coffers of your city, your county, your State, and your Federal Government \$14.8 billion a year, and it results in \$6 billion in American exports.

This amendment discriminates against a legal crop. The gentleman from Illinois [Mr. DURBIN] should go ahead and do what he wants to do and offer an amendment to declare tobacco to be an illegal product. That is what you really want. Go ahead and do that. Let us vote on it. But, no, you are going through these back doors trying to eliminate the tobacco program without declaring the crop to be illegal.

□ 1530

What is next? I submit to the gentleman from Illinois that a lot of the corn grown in his district goes to fatten up beef. Beef has a lot of fattening in it. That is bad for hearts. Why, a lot of people say heart disease is the leading killer. That is caused by the fatty substances in the food that we eat, including beef. Let us get after corn, that is the problem in this country. That is the cause of the great health scare and the health problem in the country. It is corn that causes fat.

And what about wheat, I ask the gentleman? Does he know that wheat goes into the making of Twinkies? And we all know that Twinkies are bad for us. They can cause all sorts of problems. Let us outlaw wheat.

The CHAIRMAN. The time of the gentleman from Kentucky [Mr. ROGERS] has expired.

(By unanimous consent, Mr. ROGERS was allowed to proceed for 2 additional minutes.)

Mr. ROGERS. Mr. Chairman, I say to the gentleman that the ASCS advisers of the Agriculture Department help farmers, including tobacco farmers, with such things as preventing the use of illegal or dangerous pesticides, for example. If we take away that advice, these farmers are going to be on their own, and who knows what kind of dangerous health hazards that will cause.

The intent of this amendment is to eliminate American tobacco production, make no mistake about that. It would promote cheaper foreign tobacco grown by who knows what kind of pesticides or other poisons on their crops, bringing poisonous tobacco into the country at dirt cheap prices, promoting

smoking. It would drive down the price of cigarettes to no telling what level. It would drive onto welfare rolls these small farmers, in the South primarily, in favor of big tobacco companies who would then buy that tobacco from offshore. The jobs would go offshore.

The prices of cigarettes in this country would go down, smoking would go up, and farmers would be on welfare. Is that what the gentleman wants?

I say to the gentleman that the Congress said last year on this very amendment "no." The full Committee on Appropriations just last week said to answer that question "no," and I say to my colleagues again today, to the Durbin amendment say "no."

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

Mr. Chairman, I just heard the gentleman from Kentucky bring up Twinkies, and it is interesting because when the CEO's of the major tobacco companies of this country testified before the Congress of the United States, one of them said, "Nicotine is no more addicting than Twinkies." It is ironic that Twinkies would come up again here today.

Mr. Chairman, I rise in strong support of the Durbin-Hansen-Meehan amendment to once and for all end the Federal Government's \$25 million subsidization of tobacco. And by the way, the USDA says that it costs the taxpayers money, the Congressional Budget Office says it costs the taxpayers money. It is time to finally put an end to our agricultural policy that is not in line with our health policy.

Mr. Chairman, the tobacco crop insurance subsidies, these are products of a bygone era that have no interest other than the special interest of the big clout that is supporting them. No longer should the Federal Government be a willing and knowing partner in the addiction of America's youth. Now is the time to correct a serious disconnect in Federal policy.

It borders on hypocrisy, Mr. Chairman, that on the one hand we tell our young people do not smoke, do not chew tobacco, it is a nasty and ultimately deadly addiction. Be smart, do not cave in to the destructive advertising, the peer pressure, and on the other hand to the tobacco and extension services and crop insurance subsidies the Federal Government tells our young all across America, do as I say, not as I do.

A vote against this amendment is a vote against kids in America and a vote for big tobacco. Mr. Chairman, by voting for big tobacco Congress votes for an industry that manufactures a product that kills 420,000 Americans each year; an industry that has convinced through its cartoon character Joe Camel, by the way a multibillion dollar advertising campaign directed specifically to children in America, and through that specifically directed cartoon character there are 300,000 kids a day that pick up a cigarette and try it for the first time. One thousand of

those children will eventually become addicted to this deadly product.

It is an industry that costs the American economy through health care costs and lost productivity \$100 billion a year. Is this the type of vote we want to go back and explain to the mothers and fathers back in our district that we made?

Mr. Chairman, those on the other side of the issue will argue that this vote will only affect a small family-run tobacco farm. Mr. Chairman, tobacco farming is one of the most lucrative forms of agriculture. An acre of tobacco is 1,000 percent more lucrative than 1 acre of corn. The fact is this amendment does not affect the operation of the tobacco price support program; therefore, this amendment will not cost a single tobacco farmers his or her job.

No, this amendment is not directed against the small tobacco farmer, he will still have his customers, the Philip Morris, the R.J. Reynolds of the world. The amendment is about putting our agricultural policy in line with our health policy.

We have spent millions of dollars educating Americans about the diseases of this product, the dangers of this product. We are seeing historic Americans come out in a historic way to demand that the Congress regulate this product in the advertising to children. We have seen the President come forward and call for the FDA to regulate this product in its advertising to children. We have seen attorneys general all across this country begin to hold tobacco companies accountable for the millions and millions of dollars of damage to health care in every State in this country.

Now is not the time to move backward. Now is the time to make the move to move forward. Just because this amendment has been defeated in the past does not mean we shall not do the right thing here.

Mr. Chairman, I agree the tobacco company needs the help of Congress, but further subsidizes are not the answer. No, Mr. Chairman; big tobacco does not need further subsidization; big tobacco in this country needs regulation. I urge my colleagues to join with me in supporting the Durbin amendment.

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

Mr. Chairman, I rise in strong opposition to the Durbin amendment. This is a mean-spirited attack on small farmers throughout the South. We all know that the gentleman from Illinois does not like smoking, but this amendment will not stop one person from smoking; it will only hurt the small tobacco farmers in my district and throughout the South.

The opponents of tobacco always imply that we should not pay farmers to grow tobacco. We do not. We do not pay farmers. Let me repeat that. The Federal Government does not pay

farmers subsidies to grow tobacco. Sure, our Government offers to tobacco farmers some of the same programs, like crop insurance and extension service, that are offered to other farmers. But we should offer them the same treatment other farmers receive.

Tobacco farmers grow a legal crop. These farmers are not outlaws. They should not be treated as such. They should be treated the same as those who grow corn or raise dairy cows or other commodities. Tobacco farmers should not be forced to pay for the same services every other farmer receives for free.

What this amendment does, Mr. Chairman, is single out the small tobacco farmers who are the backbone of the agricultural industry in my State and all over the South. Most of these farmers, including the 14,400 tobacco growers in my district, own their own family farms. They may have 2 acres, 5 acres, or 10 acres of tobacco that they use to offset their other costs in farming, or they may use the extra income to send their children to college so that their children may have it just a little bit better than they did. Where is the crime in that?

Tobacco is a legal product. We have no right to treat honest, taxpaying, hard working Americans like they are outlaws. They have committed no crime, yet this amendment singles them out and treats them like criminals.

Mr. Chairman, this amendment will not do one thing, as the gentleman from Kentucky has already said, to prevent smoking. It will not do one thing to the major tobacco companies in this country. It will not decrease the deficit. It will only treat small farmers like they are criminals. It is bad policy, it is unfair, it is wrong, and let us vote against the Durbin amendment.

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

Mr. Chairman, this amendment came up in the full Committee on Appropriations and the full Committee on Appropriations soundly defeated this amendment. Just as an old timer around here, I would say stick with the Committee on Appropriations. The Committee on Appropriations, the gentleman from Kentucky [Mr. ROGERS] has informed me, does not want this amendment to pass and he said it very eloquently on the floor himself.

This amendment does two things. It prohibits agricultural extension agents from giving advice to tobacco farmers. It does not stop the tobacco farmer from growing tobacco, but if the agricultural extension agent is called on by the farmer for advice about pesticide spraying for certain insects or fungicides, they will not be able to give that advice to the farmer.

I do not believe that is the result that we want. We are not going to stop the growing of tobacco, but we will stop USDA from giving good horticultural advice on how to grow the crop using the proper insecticides, fun-

gicides, and pesticides. That is not good for either the farmer or the farmer's neighbors.

That is one good reason to vote against this. The second reason is it prohibits small farmers from getting Federal crop insurance. Now, the Federal crop insurance is important mainly to the small farmer. Larger farmers buy it privately. In my part of the world a small farm that has 5 acres of tobacco can be grown by the small family. A husband and a wife and children can take 5 acres of tobacco and put 10, 15, \$20,000 extra a year into their pockets.

No, this is not about smoking. My colleague from Massachusetts [Mr. MEEHAN] and my colleague from Illinois [Mr. DURBIN] know this has nothing to do with whether or not people smoke, and they really made that clear in their arguments. But do my colleagues know that if these small farmers cannot get crop insurance, they cannot grow tobacco, that the companies will import more foreign tobacco and, in my opinion, will smile all the way to the bank because they will bring it in cheaper than they can buy it here in America?

If we want to hurt the tobacco companies a little bit, keep the price of tobacco high to them. Make them pay a good price. Take away crop insurance from the small farmer, we will put him out of business, and we will make it impossible for him to bring income in to his small family. It is not good policy to do it that way.

Now, I am not in favor of any advertising or anything being directed at underage smokers. I will support, as my colleague who is now in the other body, Mr. WYDEN, and I proposed, an extensive program of efforts by private industry and the government to stop young people from smoking.

□ 1545

This is not about smoking. It happens, though, that because of the way budgeting is done and accounting is done, crop insurance does show up as a cost to the Department of Agriculture. But other than that, the tobacco program is a no-net-cost program. The farmer pays an assessment into the Treasury to cover any potential losses from the tobacco price support program.

CBO, our own Congressional Budget Office, estimates that the current tobacco program will result in a \$1.4 billion gain for the Federal Government over the next 7 years. Let me repeat that. The current tobacco program will produce a positive cash flow of \$1.4 billion over the next 7 years. How is that? Because when the Government loans money to the cooperative to pay for the price support program, the money has to be paid back with interest. A \$1.4 billion gain.

The CHAIRMAN. The time of the gentleman from North Carolina [Mr. ROSE] has expired.

(By unanimous consent, Mr. ROSE was allowed to proceed for 3 additional minutes.)

Mr. ROSE. Mr. Chairman, I wish that there was an accounting mechanism that would allow us to lump all of this together, but there is not. So my colleague from Illinois has a fair shot here at a cost of extension service and a cost of crop insurance. But when we back away from the tobacco price support program and look at the big picture, it way overpays for what it costs the U.S. Government.

Mr. Chairman, I will join with anybody in this House to find a sensible way to stop young people from smoking, to make it illegal, tougher, to give more strength to the States, to outlaw vending machines, to outlaw free cigarettes and many, many other things. That is what we should do.

But, Mr. Chairman, I say to my colleagues they should not kill crop insurance for small farmers and go back home to their urban districts and tell their constituents that they saved them from the horrors of tobacco. They have not done anything. They have hurt some little people and they have, in my opinion, not accomplished what they really would like to accomplish.

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

Mr. ROSE. I yield to the gentleman from Virginia.

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

Mr. SISISKY. Mr. Chairman, I rise in opposition to the Durbin amendment, which I believe, the gentleman from Kentucky was very kind, this is a mean-spirited, in my opinion—and I have known the gentleman from Illinois since we got here together 14 years ago—this is a mean-spirited amendment and I wish that the House would defeat it.

Mr. Chairman, I very strongly oppose the Durbin amendment, a mean-spirited amendment that is grossly unfair to tobacco farmers.

I understand that there are many Members in this House who would like to make a political statement against smoking. But this is surely not the right way to go about it. This amendment will do nothing to stop smoking, but it will cause a lot of harm to tobacco farmers and the farming communities that depend on them. Many of these communities are located in my district.

The Durbin amendment would treat tobacco farmers worse than other farmers. It would deny them the benefit of extension services that are available to every other farmer. And it would prohibit them from buying Government-backed crop insurance that is available to every other farmer.

This is not only discrimination against tobacco farmers. It's also discrimination against tobacco farming communities. These communities are the ones who will pay the price for the mistakes made because extension services are not available, from the misuse of pesticides, and from the erosion of their economic base.

Mr. Chairman, this is nothing but scapegoating. The backers of this amendment are upset with tobacco companies. So they are taking out their frustrations on farmers, many of them small family farmers struggling just to make a living.

I would suggest that they pick on someone their own size. Small farmers have enough troubles. They don't need mean-spirited efforts like this one to treat them like pariahs. They deserve better than that from us. They deserve some fairness, and at the very least some consideration.

I urge you to soundly reject this terrible amendment.

Mr. ROSE. Mr. Chairman, reclaiming my time, I too want my colleagues to think twice before they vote for this amendment. We have got so many battles to fight around here. Mr. Chairman, I say to the gentleman from Illinois [Mr. DURBIN] we have whiskey ads back on TV again. Whiskey ads back on television. Seagrams is down in Texas showing television ads of Crown Royal whiskey.

Now all of my good health friends who are going to speak about the problems of smoking, which this amendment has nothing to do with, for the Lord's sake, over the night and over the weekend go back and get busy on demon rum and whiskey that is going to be shown to the children of this country.

Please vote against this amendment.

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

Mr. Chairman, here we are again. Tobacco has surfaced as the perennial convenient whipping boy. Tobacco, the "golden weed" we used to affectionately call it in the Tobacco Belt. Whipping up on tobacco again.

Mr. Chairman, I was not even going to get into this until the gentleman from North Carolina [Mr. ROSE] mentioned about teenage smoking. Some days ago a fellow in my district came up to me and said, "I have a cure for teenage consumption of tobacco. Why do you all in Congress not enact legislation requiring teenagers to consume tobacco?" He said, "Given the ingenuity of American teenagers, they will manage to violate that law some way, and the problem is cured."

He said that, of course, Mr. Chairman, with tongue in cheek, but it makes about as much sense as what we are about today. The Durbin amendment, and the gentleman from North Carolina [Mr. ROSE] said it, the gentleman from Kentucky [Mr. ROGERS] said it very adeptly, it will do nothing to discourage smoking or reduce tobacco consumption.

Mr. Chairman, I will tell my colleagues what it will do. It will unfairly attack and penalize small farmers by denying them critical agricultural administrative services available to every other family farmer known to me producing agricultural commodities under a Federal program.

Mr. Chairman, I will tell my colleagues what it will do. It singles out tobacco farmers, particularly small ones, and tramples upon their right to earn a living in regions often inhospitable to growing alternative crops.

This amendment damages, emasculates the small tobacco farmer, not the industry at large. The amendment

undermines a decades-old relationship between farmers and the U.S. Department of Agriculture, destroying the farmers' safety net and placing tobacco farmers at the mercy of the elements, the weather, diseases, pests.

The demise, Mr. Chairman, of the tobacco program would destroy, I repeat, destroy the nature and structure of agriculture in the southeast farm area, what we commonly know as the tobacco belt.

Tobacco, my friends, is a crop that is lawfully grown, lawfully cured, lawfully marketed, lawfully processed, lawfully sold in the marketplace, lawfully consumed. And Americans benefit, Lord only knows how much, from this product.

Mr. Chairman, I say to my colleagues, do not permit this antitobacco propaganda to damage innocent farmers who are trying their best to keep their heads above water, to provide for their families by growing a legal and marketable commodity. I urge defeat of this amendment.

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

Mr. Chairman, I rise in support of the Durbin-Hansen amendment. At a time when critical funding for children, for health care, for education is being slashed to the bone, how can we even think of providing even another cent to the tobacco industry? Smoking and its impact on health costs billions of dollars every year, and it costs thousands of lives in the United States of America.

The prior speaker said that it is lawfully grown, it is lawfully sold, it is lawfully consumed. I agree to that, and that is one of the sad problems that we have in this Nation today, because it is lawfully grown, lawfully sold, and lawfully consumed.

Just ask one of the members of the thousands of families, many of whom we know very well, who have lost a parent, a daughter, a son, or a wife to smoking-related cancer, and they will give you the straight answer. No more money for tobacco. Simply, no more money for tobacco.

Yet, in vote after vote on the House floor and in committee, aid to the tobacco industry stays alive. This is wrong. Let us make some smart choices on how we spend our Federal dollars. This amendment gives us a choice. We can vote for tobacco and smoking, or we can invest in health.

This amendment takes the money the bill would spend on tobacco and invests these dollars in linking rural underserved educational and medical facilities to more advanced urban centers. Moreover, it would make significant investment in the rural water and sewer grant and loan programs.

The choice is clear. Vote for the Durbin amendment and end the subsidies to this killing industry.

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

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

Mr. DURBIN. Mr. Chairman, I thank the gentleman for his support of this amendment, and say to earlier speakers that someone has noted the fact that the Committee on Appropriations voted against this amendment, and that is true. The Committee on Appropriations also voted against an amendment which I had several years ago to ban smoking on airplanes. Fortunately, this House of Representatives came together in a bipartisan fashion overruling the decision by the Committee on Appropriations.

Mr. Chairman, I would defy all my friends on the side of tobacco today to stand up and say that was the wrong decision. It was the right decision. No one, no one would consider turning back the hands of the clock to the day when people could smoke on an airplane and pass along secondhand smoke to innocent people. The fact of the matter is, this has been accepted conduct now across the United States and we are now applying it to international flights.

I might also thank the gentleman for noting that the money saved from the Durbin amendment will be reinvested in the same rural communities that we have talked about here during the course of this debate, providing in the southeastern United States and across the country, opportunities for medical telecommunications links so that community hospitals can have professional medical care, providing rural water and sewer grants so that a lot of small town America will be able to modernize its infrastructure.

Mr. Chairman, the final point I would like to make is, my friends on the other side of this debate continue to ignore the reality that we subsidize tobacco growers in this country. The gentleman shakes his head, but I would like to tell the gentleman the exact dollars. Ninety-eight million dollars will be put in Federal subsidies to tobacco growers this year; \$68 million for crop insurance losses beyond premiums paid; \$10 million overhead costs of administering the program. If this is not a Federal subsidy, I tell the gentleman, nothing is. It is \$78 million for those two items and \$700,000 for extension agents.

Mr. Chairman, I thank the gentleman for his forbearance, and say that any farmer who grows other crops will not be prohibited from speaking to extension agents. We just do not want the Federal Government encouraging the growth of tobacco in this country, a deadly product which is killing so many innocent people.

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

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

Mr. EWING. Mr. Chairman, I think we ought to make it absolutely plain, at least unless my memory is totally gone, that smoking on airplanes was legislation that came through the Public Works Committee. It was not done

on an appropriation bill. We may have had it as an amendment, but I know it came through Public Works.

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

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

Mr. DURBIN. Mr. Chairman, it was before the gentleman from Illinois [Mr. EWING] arrived here, and the amendment came through the Committee on Appropriations.

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

Madam Chairman, I rise today in strong opposition to the Durbin amendment. The denial of Federal crop insurance will destroy the tobacco farmer and the economy of rural America. Besides being excluded from common USDA services provided to all other farmers, this will be an economic nightmare. It is no way of doing business.

The denial of crop insurance does not seem like much. However, most farmers have entered into loan agreements requiring them, the farmers, to obtain crop insurance. This amendment will place the farmer in violation with their current and future lenders. Who will help the family farmers then?

Let me repeat that. Most farmers have entered into loan agreements requiring them, meaning the farmer, to obtain crop insurance. This amendment will place the farmer in violation with their current and future lenders. Who, again, will help the family farmer?

Most importantly I believe this amendment is aimed at the cigarette industry. However, the victim will not be the industry, it will be the small tobacco farmer. In my State of North Carolina the production of tobacco employs approximately 260,000 people. More specifically, 1 in 12 people have a tobacco-related job. A "yes" vote will be a vote to destroy the North Carolina economy.

Madam Chairman, in closing I want to make two points that the gentleman from North Carolina [Mr. ROSE] and others have made on the floor of this House.

Since 1982, the tobacco program has been a voluntary farmer-run program that is operated through farmer-paid assessment and fees. I am going to repeat that again, Madam Chairman. Since 1982, the tobacco program has been a voluntary farmer-run program that is operated through farmer-paid assessment and fees.

The second point I would like to make, CBO estimates the concurrent tobacco program will result in a \$1.4 billion gain for the Federal Government over the next 7 years. I am going to repeat that again. CBO estimates the current tobacco program will result in a \$1.4 billion gain for the Federal Government over the next 7 years.

□ 1600

I ask the House to vote against the Durbin amendment.

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

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

Mr. HEFNER. Mr. Chairman, I rise in strong opposition to this amendment, but I do congratulate the gentleman for trying to do something to put some money back into an area that should never have been taken out to start with, it is sorely needed, into the Rural Utilities Assistance Program. I commend him for that. But I do not commend him for where he would like to get it.

This, I do not think there is anybody in this body that would encourage young people to smoke. It would make the health argument as far as tobacco goes, but to me this is a punitive amendment. It does harm to small farmers. Make no doubt about this. It is not going to cause one person not to smoke. It is not going to spend any money for the health care for people that do smoke, if that be the cause. It is not going to do anything to keep people from smoking cigarettes.

What it is going to do is to those small farmers, it is going to say to them, you are not going to have the same privileges that everybody else that is engaged in agriculture has, whether you are soybeans, whatever, peanuts, sugar, whatever, you are not going to have the same privileges these other folks have. You are going to be a second-class farmer. If you happen to be a small tobacco farmer that maybe grows some other crops and you use tobacco, that is going to be something that you have done that you are going to put my kids through college. You are going to say, we are going to cut off, this is going to take away a part of your income.

It is not going to affect the big picture. It is not going to convince anybody not to smoke. It is just an attack on the small tobacco farmers all across the South that raise tobacco and count on it for their livelihood. So make no mistake about it. The only people that are going to be harmed are going to be the small tobacco farmers. We have thousands of them in the great State of North Carolina and Kentucky and Georgia and Alabama, all across the South.

I might add, there is no place that these folks say: Hey, what we are going to do; we are going to diversify. There is no crop that they can say in the short run next year they will not plant tobacco, we will plant blueberries or we will plant something else. They cannot diversify. This is something that is going to have an impact on the small farmers in North Carolina and all over the South. Make no mistake about it.

I would not call this a mean-spirited amendment. I have known the gentleman from Illinois [Mr. DURBIN] ever since he came here. He is a fine gentleman. But he is just misdirected in his avenue that he has taken as far as

the Tobacco Program. We are talking about a legal product that the tobacco farmer has just as much right to grow tobacco as people have to grow soybeans, cotton, corn, wheat, any other crop in these great United States.

This is a punitive amendment, and I would urge the Members of this great body to vote this amendment down and get on with their business.

As far as the Rural Assistance Program, that should be put back in the bill. This is something that should be funded. It should not have been taken out. It is a disgrace that it was, but this is not the way to address something that is bad in the bill to make it even worse by adopting the Durbin amendment.

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

I am here today in strong opposition to the Durbin antitobacco farmer amendment, which was already soundly defeated in committee and last year on this floor.

Let me tell you about the family farmer in Kentucky's Second District. He grows several crops—soybeans, corn, wheat, whatever—but most often, he grows tobacco.

In fact, for thousands of families back home, it's tobacco that puts food on the table and clothes on the kids' backs.

Sometimes, that farmer needs advice on crop production, diseases, or fertilizer. The extension services across rural America are often the only source of this type of information. This amendment denies tobacco farmers that advice.

Now I would assume supporters of this antitobacco farmer amendment would say they care about the environment. They should consider this question: What if a tobacco farmer misuses pesticides because the expert at his local extension office wasn't allowed to talk to him?

This amendment also prevents hard-working tobacco farmers from buying the same crop insurance that farmers in, say, Illinois have.

Think about it: Tobacco is a legal crop. And we are saying to the farmers, when they need assistance, that they are second-class citizens.

The Durbin amendment does away with a critical part of the Federal safety net for farmers who grow tobacco. It is a discriminatory amendment.

Each year, tobacco contributes nearly \$15 billion to Federal, State, and local government in taxes. It adds another \$6 billion in exports. That's \$21 billion.

The gentleman from Illinois should consider what liberal social programs he'd do away with without those \$21 billion. Tobacco farmers also pay an additional 33 million for various assessments to allow the Tobacco Program to operate at no net-cost to the taxpayer.

Mr. Chairman, we shouldn't single out the farmers who grow tobacco. We

shouldn't hurt the many families who are just barely getting by with a few acres of this legal product. And we shouldn't pretend that this amendment will stop one person from smoking, because it won't.

The health risks associated with tobacco are well known, and not the issue today. The issue is the thousands of independent decisions made by farm families.

The Durbin amendment would be a disaster for tens of thousands of small family farmers. Vote against this anti-tobacco farmer amendment.

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

Mr. Chairman, I probably have a little more unique position or consideration of this amendment than most Members because I am the only tobacco farmer in this House.

Let me tell you what this amendment does. I am not going to get into all the money everybody else has talked about. It is telling every tobacco farmer in Kentucky today, we have had rain for the last 4 or 5 weeks, we now have the possibility of a blue mold coming in on our plants, which could very well devastate our crop as we move along from June, July, and August. We want to tell that farmer, with the Durbin amendment, we want to tell him, Mr. Farmer, you do not have any protection for that.

We might be devastated. If the blue mold does not get us later in the summer, we have a disease called black shank which could.

Why do I mention these two diseases? First of all, it is the extension services which go to the farmer who does not have to go to anybody else and say, Mr. Farmer, here is what you put on your tobacco plant to try to prevent blue mold, try to prevent black shank. What do they do? They wither up the plants. They give you absolutely no production at the end of the year. But guess what, you have already put in several thousand dollars per acre. You have already put in the fertilizer cost. You have already put in, in some cases right before a harvest, you have put in most of your labor, a great deal of your labor.

Under the Durbin amendment, he wants to tell this farmer, this farmer, you cannot have a safety net. You go on and go broke. We do not care.

Just two or three amendments ago, I heard Mr. DURBIN himself talking about the disaster we had in the wheat. Why didn't those people go get insurance? I would be more interested in hearing them, if they go insurance.

We are telling my farmers they cannot have insurance. It has nothing to do with smoking. You are basically telling the farmers in Kentucky and North Carolina, we cannot have the safety net that we need to make sure we do not go broke. We are not talking just about landowners here. Do not think you are talking about farmowners who just have a lot of land.

We are talking about young tenant farmers who maybe do not have any land but have over \$100,000, \$200,000 invested in equipment. We are going to tell him and her, a lot of women, going right on that farm, do not worry about it, folks, you do not need a safety net, you are going to go broke. Andy by the way, you cannot go talk to the extension service about how to make your crop better. Are you going to use Clo-rox? That is illegal. You cannot do that. The extension service cannot tell you that. You have got to know it.

This is mean spirited. It is hypocrisy at the highest level. Two or three votes ago, two of the sponsors of these amendments voted to keep on paying the funds necessary to market alcohol. They voted against the Kennedy amendment. I voted against it, too. But now is not that something, we are saying here to the tobacco farmer, somehow you cause health problems, Mr. Farmer. We are not even asking for money to help us market. We are going to tell the alcohol folks, fine. I voted for it and think it is the right thing to do, we are going to help our market, yours and nobody is going to deny that alcohol has some problems with health.

What disappoints me about this is it has nothing to do with smoking. It has nothing to do with what is going to happen. The gentleman from Kentucky [Mr. ROGERS] and others have said it. The Mexicans are going to love it. The Brazilians are going to love it. The Africans are going to love it because they are going to be able to market their products.

Who is not going to love it? Farmers in Kentucky and throughout the South, because we are telling them today, if this amendment passes, we do not care about you. We do not care if you go broke. We do not care if you cannot get insurance. We pay our taxes; you pay. The university has got an extension service; Federal Government has extension services. You cannot go see them.

This is a mean-spirited amendment. It is the most hypocrisy that I have ever seen, over two or three votes ago. I am disappointed by the fact that we do not care about these people.

What is the next small farmer we are going to kick in the shins? What is the next small farmer we are going to hurt? Who are we going to pick on next? Tobacco is an easy target for you folks. Tobacco is an easy target for the urban areas because they do not care about it. Tobacco is an easy target because they do not think about the billions of dollars they get.

I am disappointed. Vote no because this is very mean spirited and the height of hypocrisy.

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

Mr. Chairman, I rise in support of the Durbin-Hansen amendment. This amendment prohibits the use of Federal funds for tobacco-related extension services and crop insurance. It is

needed because the current so-called no net cost tobacco price support program does not eliminate Federal spending related to tobacco.

Tobacco products, as the medical profession has repeatedly emphasized, kill. Tobacco is frequently used as a pesticide, thus it is no wonder that almost one half million Americans die each year from tobacco use. This, along with tobacco-related illnesses, costs Medicare and Medicaid approximately \$15.3 billion each year.

The Durbin proposal would not cause tobacco farmers to lose their jobs. It does not affect the tobacco price support program; debate on that issue is deferred to the farm bill. Rather, the Durbin proposal continues to align our agricultural policies with our health policies.

As part of this sensible undertaking, the proposal would reallocate funds from the tobacco industry to more health conscious interests. One part of Mr. DURBIN's proposal would help to provide safe and affordable drinking water to the 400,000 rural households currently without it. Mr. DURBIN also proposes to reallocate money to the Distance Learning/Medical Link program. This is another important program which offers valuable opportunities to rural residents though increased educational venues and better access to health care.

It is time for governmental policies to work together, and for us to get out of the tobacco business. I urge my colleagues to seize the opportunity to move one more step toward that goal by supporting the Durbin-Hansen amendment.

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

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

Mr. WAXMAN. Mr. Chairman, I have a chart that I want to display so that Members can see the full consequences of this tobacco issue.

This chart indicates the causes of death in the United States. Deaths related to tobacco come close to 20 percent. It is higher than the combination of deaths due to illicit drugs, motor vehicle accidents, sexual behavior, guns and firearms, toxic agents, microbial agents, and alcohol; all of them combined.

This is a major health problem in this country. We need to address it. The Centers for Disease Control came out with a report a couple of weeks ago. They have indicated to us that we are losing this war against smoking in America.

□ 1615

Forty percent of white teenaged girls are smoking. Three thousand new kids are taking up smoking each day.

What are we going to do about it? What is a commonsense rational policy for this Nation to avoid the consequences of 400,000 people dying each

year? How do we stop our kids from taking up smoking?

Now, the Durbin amendment is not a solution. We need some commonsense solutions, but it is a reasonable step that we ought to take.

I have listened to the discussions of the representatives from the tobacco growing areas. They say that we are treating their farmers like second-class citizens, we are saying that they are criminals. No one is saying that. They have a legal right to grow those crops and to sell them.

But the fact of the matter is, why should taxpayers help them when we face this kind of consequence from this product? We ought to be talking about, if we really care about those farmers, how to make a transition to other crops as we, as a nation, try to discourage people from smoking. That is what we ought to be doing, and if the gentleman wanted to deal with the problem, we would try to come to terms with it.

We have enormous pressures to keep the status quo. Do not touch the subsidies going to tobacco farmers. People say, "Well, let's deal with alcohol." Well, let us deal with alcohol, but let us recognize the disproportionate deaths from tobacco. They say, "Well, let's do something about kids smoking," but those same people that said that on the House floor object to the Food and Drug Administration promulgating regulations. They are in favor of some voluntary effort by the tobacco industry which, as an industry, has a conflict of interest. The industry does not want to discourage kids from smoking because those kids that take up smoking as 13-, 14-year-olds are their customers when they are adults. They are the ones who get hooked on nicotine.

I urge that we support this amendment. It is a good first step. We ought to do it. There is no reason not to do it.

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

Mr. WAXMAN. I yield to the gentleman from Texas.

Mr. DOGGETT. Now, the gentleman from California mentioned that there are other measures besides this amendment which only keeps us from wasting a certain amount of public moneys in support of death that ought to be taken. Are there going to be any of those measures coming out of the subcommittee that the gentleman from California has served on and focused so much attention in prior Congresses to this tremendous tobacco epidemic in the country?

Mr. WAXMAN. Mr. Chairman, as the gentleman from Texas well knows, the most powerful special interest in this country is the tobacco industry. They have invariably gotten their way in the Congress of the United States. The inquiry that our subcommittee conducted about tobacco industry practices was stopped. The tobacco industry is a major campaign contributor.

Mr. DOGGETT. How does the gentleman from California mean it was stopped?

Mr. WAXMAN. The new leadership of the committee decided that there was no reason for this country and this Congress to look into tobacco industry practices.

Mr. DOGGETT. So even though tobacco is the No. 1 cause of preventable death in the United States, this Congress, this House under the Gingrich leadership, is not doing anything about it?

Mr. WAXMAN. The gentleman is absolutely correct. This Congress and the leadership of this Congress has done exactly what the tobacco industry has wanted it to do. It has stopped any investigation of the tobacco industry. It has condemned the Food and Drug Administration as it attempts to deal with the problems of children being seduced into smoking. It has supported the continued subsidies of the tobacco industry and its farmers. We are losing the war, and the people who have been elected to be responsible for the Nation are turning their backs on that whole effort.

The CHAIRMAN. The time of the gentleman from California [Mr. WAXMAN] has expired.

Mr. DOGGETT. Mr. Chairman, I ask unanimous consent that the gentleman from California [Mr. WAXMAN] be granted 3 additional minutes to respond.

Mr. ROGERS. Mr. Chairman, I object.

Mr. DOGGETT. Mr. Chairman, there have been no objections to anyone else getting unanimous-consent extensions on this.

The CHAIRMAN. Objection is heard.

Mr. DOGGETT. Mr. Chairman, I would like the gentleman identified under the rules because they may want to speak again and I may want to object.

The CHAIRMAN. The gentleman from Kentucky [Mr. ROGERS] has objected.

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

It is impossible today in today's climate to discuss anything relating to tobacco without discussing the political correctness of the issue, and I think that all of us would agree with that, and I do not think there is anybody in this Chamber, or anybody that I know of, that wants young people to smoke any tobacco product, and every tobacco product today has on the package that it may be dangerous to one's health to smoke the product or to chew the product, and we all know that, and all of us know that there are many things in our society that it is harmful for us to engage in. Many things: drinking alcoholic beverages, drinking and driving, dropping out of school. But we also know that individuals make individual choices about what they do, and the same thing takes place on this issue of tobacco.

We know historically that prohibition did not work in the alcohol business, we know that it is illegal to sell and buy cocaine and heroin on the streets of America, and yet we know that it is done all over the streets of America, and we know that organized crime is involved in the selling of those products. But one thing that we also know is that tobacco is a legal product, and it is a regulated product. It is not regulated by FDA, as the President and other Members of this body would like it to be, but it is regulated by the Department of Agriculture, the Federal Trade Commission, HHS and other agencies of the Government, and it is a legal crop.

Now, over the past 8 years two agencies of the Federal Government have taken real reductions in appropriations. That has been Agriculture and Defense. And the farmers throughout America stepped up to the plate on this Freedom to Farm bill and volunteered that over the next 5 years all of their price support systems would be eliminated. And in tobacco there is no price support system today that is paid for by the Government. The tobacco farmers and the tobacco industry, manufacturers, pay for that price support system.

And this amendment simply discriminates against over 140,000 small farmers in 23 States, many of whom only have 1 or 2 acres of land to grow this legal product, and this amendment basically says that if someone grows this product, this crop, they cannot use the facilities of the U.S. Department of Agriculture to advise them on the pesticides or the insecticides that they should use on this product, and all of us recognize that there are some dangers in the chemicals being used today, and we need advice from the Department of Agriculture on those types of issues, and so this amendment would prohibit that.

And in addition, this amendment would also prohibit farmers from buying crop insurance. Now, up until this freedom to farm bill, it was required that farmers buy catastrophic crop insurance. Most of them really did not want to. And the gentleman from Illinois [Mr. DURBIN] mentioned awhile ago, he said that the Government will spend \$97 million this year, but the estimate is that it will be \$97 million, and most of that is on crop insurance that farmers themselves paid the premium, they paid the premium for it, and if anything happened to the crop, they will be reimbursed. And some things did happen. As the gentleman from Kentucky mentioned earlier, blue mold hit, and it about destroyed the crop this year, and so they paid for a premium to be covered. Blue mold hit the crop, and now they are going to be compensated. And this amendment would prohibit that from taking place in the future.

And so I would just say it is an amendment that discriminates against 140,000 small farmers in 23 States around this country.

Now, if my colleagues want to make tobacco illegal, then let us bring it up for a vote. Let us not try to harm these small farmers and let the big manufacturers get off. And furthermore, I would challenge my colleagues that Government cannot control the actions of people on everything that they do. We cannot control that somebody is going to smoke. We cannot control if somebody is going to contact AIDS through illicit sexual contact or kill themselves while driving intoxicated.

So that is what this amendment is all about, and I would urge all of us to vote against the Durbin amendment.

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

Mr. Chairman, I rise in opposition to the Durbin amendment. I feel that this amendment is unfair, it is discriminatory, and it will create a bureaucratic nightmare.

I represent tobacco growers. I represent tobacco warehouses, and I represent the largest cigarette manufacturing plant in the country. What I see this debate about is not whether to outlaw tobacco, which perhaps would be more of an appropriate debate, not whether to smoke or not to smoke, which perhaps would be an appropriate debate, but here we are talking about taking away crop insurance and the advice of extension agents from people who are scratching out a living from the soil in the hardest of possible ways to just to make ends meet.

It is not right, it is not fair, and I just think that we ought not be doing that.

What we are talking about here are jobs. What we are talking about are families. We are talking about college tuition. We are talking about hospital bills, doctor bills. We are talking about health insurance even, derived from the hard work that these families scratch out from the soil.

I had the good fortune to marry a young lady who grew up on a tobacco farm, and we spent hours and hours talking about what it was like growing up on that tobacco farm when her father would have to go and mortgage the land to plant his crop and how when the crop came in and after they got through curing it and they got through selling it, how he would go back to the bank, if they had a good year, and pay off the mortgage. And she talked about how many years they would have to go back and renew that mortgage and hope that they could make a better crop the next year, and in the meantime the land did not get foreclosed on.

Her father always said, "I hope that life for our children won't be as bad on this tobacco farm as it has been for me."

The advent of crop insurance improved that lot for that tobacco farm in North Carolina. I believe that we ought not to, as long as this product is legal, discriminate, be unfair and create a nightmare, as this amendment would do.

Mr. Chairman, I yield to the gentleman from North Carolina [Mrs. CLAYTON].

Mrs. CLAYTON. Mr. Chairman, I thank the gentleman for yielding to me.

Mr. Chairman, I rise in opposition to the Durbin amendment and say this really is not about whether one smokes or not. I am not in denial that smoking harms. I am not one who says that smoking should not be for children. I do not advocate. So it is difficult to follow Mr. WAXMAN's startling statistic.

But this is not about smoking. This is about discriminating against the poorest of the poor of that industry. Our colleagues are not attacking the big boy. They really are attacking the small farmer.

This is a vested interest. I represent the largest amount of farmers who grow flue-cured tobacco in the country.

□ 1630

Obviously, I feel for them. I also feel for those who may see this as a moral issue. I commend the gentleman from Illinois, who has consistently been about this.

However, Mr. Chairman, I want to tell the Members, this is not the way to go about it. We should not discriminate against farmers who happen to be growing tobacco, soybeans, cotton, and to say that they should not have the assistance of our Government, or we should not find a way where they cannot insure their crops. Go after it as a moral issue. This is not the way to do it.

Mr. Chairman, I urge our colleagues to understand, they are not making the decision around smoking or not smoking, they are really making the decision about whether they want to be fair to farmers, regardless of what legal crop they are growing. I urge the defeat of the Durbin amendment.

Mr. SKEEN. Mr. Chairman, I have a unanimous consent request. I would ask the gentleman from Illinois, we have been at this for about an hour and 15 minutes. I do not want to cut anybody off, but I think at least we ought to have some parameters. How about 80 minutes?

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

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

Mr. DURBIN. Mr. Chairman, I agree with the gentleman. If the gentleman would agree to 90 minutes, I think we might be able to wrap it up.

Mr. SKEEN. We will go 90 minutes.

Mr. DURBIN. Forty-five minutes on each side. Will the gentleman control those in opposition to the amendment?

Mr. SKEEN. Yes.

Mr. DURBIN. I will control those in favor of it.

Mr. SKEEN. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 90 minutes and that the time be equally divided.

The CHAIRMAN. The Chair understands that the time will be divided, 45 minutes to be managed by the gentleman from Illinois [Mr. DURBIN] and 45 minutes to be managed by the gentleman from New Mexico [Mr. SKEEN].

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

There was no objection.

Mr. SKEEN. Mr. Chairman, I yield 4 minutes to the gentleman from North Carolina [Mr. FUNDERBURK].

Mr. FUNDERBURK. Mr. Chairman, here we go again with the constant attack on tobacco in the form of another Durbin amendment. This amendment is being sold as an attempt to change smoking habits. As usual the label is misleading. It won't change smoking habits one bit. This legislation breaks a complex and time-honored agreement between the farmer, the Government, and the manufacturer. If this amendment passes, tobacco farmers would be the only farmers in America denied access to Government-funded research, education, and extension services for their crop. This amendment even denies tobacco farmers Federal crop insurance and sets up the taxpayers to absorb millions of dollars in defaulted farm loans. It imposes a politically correct gag rule on USDA officials by preventing southern farmers from accessing information which they paid for with their own tax dollars.

If the authors also intend to wound multinational corporations they are off the mark. The big companies won't be hurt by this amendment. They will simply pack their bags, move off shore, and sell us foreign tobacco. So, the people this amendment really hurts, live in the small towns in my State and across the country. These law-abiding citizens don't sit on corporate boards or drive big cars, they merely ask the Congress to treat them fairly and on that count the Durbin amendment fails miserably.

It is time for DURBIN, WAXMAN, Kessler, and Clinton to stop picking on small tobacco farmers. Where is their substitute for \$15 billion to the Federal, State, and local governments in the form of sales and excise taxes? Six billion dollars in exports—that's a lot of jobs.

Over \$30 million to the U.S. Treasury for deficit reduction.

Prohibition, crop diversification—it's simple to say but not to do.

This amendment is bad legislation. It does nothing the authors claim and punishes no one the authors want to punish. So, Mr. Chairman, the next time a Member of Congress, on either side of the aisle, talks about protecting the little man and small businesses take a look at how he voted on the Durbin amendment and see how his claim stands up.

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

Mr. FUNDERBURK. I yield to the gentleman from Georgia.

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

Mr. Chairman, none of us disagree with the gentleman from Illinois [Mr. DURBIN] that we ought not to encourage children from smoking. We ought to. This amendment will do nothing about that. All of us agree that smoking presents hazards to one's health. This amendment does nothing about that. This amendment is, pure and simple, about corporate America versus little farm family America.

Mr. Chairman, I have very few big farmers in my district. Most of my farmers are small farmers. The big farmers, the corporate farmers, do not depend on the county agent for advice. They depend on the experts, the high-priced experts from Lexington, from Raleigh, from Athens. They can afford that. The small family farmer depends on that extension service agent, the Gary Gloses, the Scott Browns, to come out and examine their fields, be it corn, be it peanuts, be it cotton, be it tobacco.

What you are doing is saying it is all right for you to look at your corn patch but I cannot look at your tobacco patch and tell you what is wrong or what you need to do. The gentleman and I know that the management of that will never work. It simply cannot work. I urge the defeat of this amendment.

Mr. DURBIN. Mr. Chairman, I yield 5 minutes to the gentlewoman from Washington [Mrs. SMITH].

Mrs. SMITH of Washington. Mr. Chairman, I rise in support of the Durbin amendment to cut the tobacco subsidy and transfer the money saved into the rural development programs.

This is just one of the many steps this body needs to take to balance the budget. Members have a clear choice today. They can choose to subsidize tobacco growing or they can vote to give rural areas safe drinking water. We need to spend the taxpayers' money very, very carefully. I think if we took a poll of America today, we would find that 99 percent would not choose to subsidize tobacco.

Do not think for a minute this is about the small farmer. Last year when we took this vote, the three major tobacco lobbies cut 135 checks, half of them on top of the markup and the other half within 48 hours of the vote. The time for the vote came and it went down. These are business people. They had every intention of affecting the vote. I do not question each Member's vote, but a good businessman or woman does not give money to anything that they do not expect a return on.

Mr. Chairman, the big tobacco industries are a \$45 billion industry. They are fighting this vote and they are fighting it because they do not want to lose one toehold they have on this place, or at least they believe they have on this place, because they are major, major contributors to campaigns, and mostly right around the votes.

Last year, we even had tobacco checks, as we read in the news a couple

of weeks ago, passed out on the floor of this Chamber. This is serious, Mr. Chairman. Tobacco companies know that they are in trouble. Why not give the \$23 million to clean water? Does that not make more sense? I think it makes more sense. I think the American people think it makes more sense.

We have had conflicting stories on the floor today about how lucrative it is or not, and how in jeopardy the small farmers are. I have looked. You can grow a little tobacco, for a lot of money, practically in your backyard. I understand that that is a good way for some families to make their living, but it also costs America very dearly.

Mr. Chairman, the argument of corn, let us talk about the argument of corn. Why do we continue with crop insurance for corn? By the way, I am for getting rid of all agriculture and all corporate subsidies eventually. If we Republicans believe in getting rid of the debt, we have to stop subsidizing a lot of things we have been subsidizing over the years; by the way, started by the Democrats.

But I believe that starting with tobacco makes a whale of a lot of sense, whether it is \$20, \$21, or \$90 million, because the difference between corn and tobacco is very simple. My grandkids need corn to eat. Tobacco is going to kill them. It killed my mother. It has killed my relatives. It could kill my grandchildren. That is a lot of difference there—400,000 deaths each year. Corn does not cause emphysema or lung cancer. It might make you fat, but in general you can only eat so much of it, and 3,000 children a day do not become addicted to corn.

Mr. Chairman, I certainly do not want to be in a position with my constituents of going home and saying "I subsidized tobacco, but I did not have any money for clean water for your communities." I have 27 pending applications for water and sewer grants. We need that money. That is good, healthy money. It could be used for that. Mr. Chairman, let us vote today to free up that money for clean water. This is just one of several farm and corporate subsidies we need to get rid of to balance the budget.

The main cry we came in with, in fact, I waved a flag at the Contract With America that said "I am going to balance the budget. I am going to clean up the corruption." We stood there together and we said that. We have to do it even to things that are in our backyard, folks. I have done them to things in my backyard. You have to, too.

The argument that tobacco is legal makes little sense to me. There are a lot of legal things, but we do not subsidize them. Especially we do not subsidize those things that are destroying Americans and costing the Medicare system enough to bankrupt it. Today, I ask Members to think very carefully about where they have their priorities in this body. We all have to have their priorities, but this one has a lot of problems. I ask today that Members support the Durbin amendment.

Mr. SKEEN. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. EWING].

Mr. EWING. Mr. Chairman, I will try not to use all that time so others can.

First of all, Mr. Chairman, this amendment, I would say to my colleague, the gentleman from Illinois [Mr. DURBIN], is somewhat confusing. If we were to adopt it, I am not sure exactly how it would be administered or what would be carried out. I am somewhat confused between crop insurance and rural utilities. I would have thought, and I have many of these same co-ops in my district that the gentleman has, but I would have thought if the gentleman really wanted to fund this, he would have cut crop insurance for corn and soybeans, corn and soybeans in the gentleman's district. Then we would have probably all come to the floor and discussed that. I do not see the connection between taking crop insurance from one crop and not from another.

It is about small farmers. The debate here is totally off what we are talking about, what this amendment does. This amendment takes from the Crop Insurance Program and puts it into another area; maybe a very deserving area, but one the Committee on Appropriations has already decided has been adequately funded. Now we are going to take it away.

Mr. Chairman, I believe that a lot of this is very self-serving and political. The debate is not about tobacco. Yes, it is about small farmers that will be hurt, in this case, tobacco farmers; not corn and soybean farmers, tobacco farmers, because that is who the amendment is aimed at. Yet, we continue just to ignore the fact that these same farmers are paying their way, paying their way, and then we are going to take away what little government is left for them, and we are not going to take away the assessment that they pay, it is going to continue to be there, that tax on them.

Mr. Chairman, let me just, in closing, say that this amendment is confusing. I do not think it is easy to enforce. I think it is time to vote it down. But the issue of smoking, not one person has gotten up and said, "I like to smoke." I am not going to, either. I am a reformed smoker. I do not think we should smoke. My children do not smoke. I did not want them to smoke. But the point is, if you want to legislate on that issue, the appropriation process is not the place for the debate and not the place to decide that. We should do that in the substantive committee. That is where it ought to go.

We ought to decide what we can do to address this problem in America. We ought to remember that we only should put into law what we can do and what we can afford to do, because we put into law an awful lot of things that we do an awful poor job of enforcing, and then we wonder why.

Mr. Chairman, I suggest that this amendment is ill-advised, terribly hard

to follow, unable to be enforced, and should be voted down. If we want to debate this issue, do it in the proper form.

Mr. DURBIN. Mr. Chairman, I yield 5½ minutes to the gentleman from Texas [Mr. DOGGETT].

Mr. DOGGETT. Mr. Chairman, I thank the gentleman for his leadership. I join him today in offering this amendment, because it is time for our Government to stop subsidizing death. That is really what this is all about. A government subsidy to promote the growth of tobacco makes as little sense as a government subsidy to promote the production of the plants and the seeds from which strychnine is derived. In either case, it uses public money to deliver poison to the American people.

□ 1645

The only difference is that the tobacco kills a little more slowly and a little more painfully than the strychnine. And tobacco ultimately costs our American taxpayers literally billions of dollars in additional health and disability claims that we end up having to pay rather than a swift strychnine death.

Tobacco is the leading cause of preventable death in this country. Yet there are people on this floor today opposing this amendment who are at this moment expending public money to promote the production of even more tobacco.

Some 80 percent of adult smokers begin as children in their smoking habits. That is why it has been described as a pediatric disease by the American Academy of Pediatrics. Every day more than 3,000 young people take up smoking. The average age, according to one study in Texas, was a little under 13 years old to begin this terrible situation that ultimately leads to death for so many. But the opponents of this amendment say, "Keep the Government in the driver's seat. That's the only way to make it fair."

Well, the Government is in the driver's seat all right. It is in the driver's seat of a hearse. That hearse is carrying and transporting 400,000 Americans directly who are smokers and about another 50,000 every year who die from the indirect consequences of secondhand smoke.

This amendment eliminates the public funding of tobacco-related extension services and it eliminates Federal funding for tobacco crop insurance subsidies.

But this amendment is more than just one of fiscal responsibility. It is more than just one of saving lives. It is about breaking the stranglehold that one of the most powerful lobbies in the country has on this Congress.

As always, the purveyors of poison are hiding behind the small farmer. They picture some fellow with a big plug of chewing tobacco in his cheek in an old beat-up pickup truck rumbling down some back road.

This is not about that guy. This is about the most pernicious lobby in this

country today. If our citizens could vote directly on this issue, they would see right through this sham. They recognize that the tobacco companies are going to continue to peddle this poison as long as they can pay for the right to do so.

And my how they have been paying. For while I recognize that they have exerted tremendous influence over both parties in the past and while I applaud my Republican colleagues like the last gentlewoman who rose to support this amendment, I think we have got to be clear that the Republican National Committee these days is like a giant cigarette vending machine. The tobacco companies put in their money and they pull out the influence they want.

In the first 6 months of 1995 alone, the tobacco companies poured more than \$1.5 million into the national treasury of the Republican Party in so-called soft money. By the end of the year they had gotten up to almost \$2.5 million. Who knows, now that we are finally in an election year, how much money they have been able to dump over there.

With those kinds of dollars, you can bet that when a tobacco lobbyist calls the National Republican Party that they do not get put on hold or get forwarded to voice mail.

No, they get Haley to pick up the phone as he did and call the Governor of Texas. They get him to call all over. As far as the soft money is concerned, then there is the hard money. Of course the tobacco lobby does not make it too hard on Members of Congress to get their largesse. Indeed, they had the head of the Republican conference running around here on the floor of this body, on this very floor, acting as an errand boy for them so that the Members of Congress that want that tobacco money will not even have to walk across the street to get it.

All during 1995, tobacco interests gave a total to people of all parties associated with Congress in soft money and PAC money over \$4 million. That is a pretty good harvest. I would say it is a very bountiful harvest.

It was Mark Twain who said, "It's easy to give up smoking. I know so because I have done it a hundred times." Well, we only need to give up this public largesse in return for the favors from the tobacco lobby one time.

Let us do it today. Let us get out of the hearse and get this program revised and the public out of the business of promoting death.

Mr. SKEEN. Mr. Chairman, I yield 7 minutes to the gentleman from North Carolina [Mr. BURR].

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

Mr. BURR. I thank the gentleman from New Mexico for yielding time.

Mr. Chairman, I have sat here for an hour and a half, maybe a little bit longer. Thank goodness we have a time frame on it. I have waited for the mer-

its of why this bill, a bill that puts a gag order on extension agents in this country, is good. I have heard about smoking and I have heard about this and I have heard about that, and now we have heard about PAC money and we have heard about influence. We still have not heard any merits on why extension agent gag is an appropriate method.

In fact, tobacco is an attractive target these days. The administration is on it. We have got the Durbin-Waxman two shoe again. It is consistent. In due respect to them, they are consistent. They continue to do it. Why do they do it? For the same reason my colleague from Texas was just up here. Because it is profitable for them. Because they do not talk about the money they raise from the people that fight this industry day in and day out.

Congress has the jurisdiction on what the legal status of it is. If the American people want it changed, I will assure my colleagues they are a much more powerful lobby than is any single interest group here in Washington or the whole interest groups here in Washington combined. We give the American people the wrong impression when we say that they do not have a voice here.

Well, they do have a voice in the Fifth District of North Carolina and they elected me to be here. They elected me to protect their livelihood. The fact is that this amendment is not about tobacco and it is not about smoking. This is about killing the livelihoods of families. It is about destroying communities throughout the South because we will drive farmers out of business.

My colleagues are offering to kill programs from which tobacco farmers in my district benefit, while they are proposing to maintain, as my other colleagues have mentioned, their own programs.

I would say this to the gentlewoman from Maryland [Mrs. MORELLA], and I am sorry she is not here, if she believes that doing away with the extension agents for tobacco is in fact that profitable, then why does she not propose that we do away with extension agents, period?

It is very simple. It is because the assault here is tobacco. It is under assault under the auspices of Federal spending. There is not a crop in this country that has done more to be self-sufficient than has tobacco. They have reached out every time that this body has suggested that in fact the Federal Government had too great a share and they have cleaned it up. They have a no net cost program for the stabilization side of it.

And yes, there is some Federal money that is there for extension agents to talk to farmers, to help them move from a one-crop farm to a multi-crop farm. As a matter of fact, North Carolina used to be a one-crop State. Today we are the third most diverse State in this country behind California

and Texas. Why? Because extension agents have helped us to make that transition. Without them, our farmers are dead, and you can bet on it.

It is unbelievable to think that we would in fact sit here and pass a law that would say to extension agents, "You can talk to a farmer about the azalea bushes and when to clip them, about the grass and how to make it green, you can talk about cotton and pigs and everything else, but you can't talk about tobacco." How insane we would be to even consider something like this.

As a matter of fact, if I were a farmer in Illinois today, as my dear colleague Mr. EWING said, I would be scared to death of what the gentleman from Illinois, Mr. DURBIN may do.

The reality is that, as in the past, this amendment amounts to plain discrimination against our farmers who depend on tobacco to put food on their tables. In fact, earlier, the gentleman from Illinois [Mr. DURBIN] said, look at the kids visiting us today. My only regret at that time, I was sorry that the children of tobacco farmers were not here today, because they are just as important. Are their lives not as important for us to protect as everybody's in this country?

We will solve the smoking issue. We will do it responsibly. We will debate the issue. But we do not do it by disguising an attack on the industry and by destroying people who in fact are just plain farmers.

Mr. Chairman, if Congress were to say today that tobacco could not be grown anymore, it would take at least 3 growing seasons to prime soil for new crops, notwithstanding the fact that most tobacco farmers have neither the acreage or the proper soil to prosper with different crops.

As a matter of fact, the average tobacco farm in my district is 3 acres. Three acres is not enough to even take a good-sized tractor and get it going before you have got to turn it around. Needless to say, they do not have the up-front capital to start raising chickens or hogs. Given the same circumstances, I am sure that most other farmers would face a similar situation.

But Congressman DURBIN would eliminate crop insurance for tobacco. He may not like tobacco, but it is downright cruel to pull the rug out from under farmers whose crops fall victim to such plagues as blue mold which has wiped out hundreds of acres of burley tobacco.

Will we not cause a nightmare for extension agents when they cannot control disease in one crop and all of a sudden it begins to affect others? Will we not do a terrible thing to our environment in this country if we do not have agricultural agents who are working with farmers as it relates to pesticides and to other things that they use on their crops, and farmers do it out of ignorance versus out of education? Do we not do an injustice by not allowing the latest in research and

technology to drive what they do? How can it be good policy to put agricultural extension agents under a gag order?

Good policy would be to control disease, to monitor pesticide usage, to protect workers and the environment. The Durbin amendment is bad legislation. It threatens the environment, it threatens the livelihood of thousands of families, and it threatens American jobs.

Mr. Chairman, I am here today to defeat the Durbin amendment. I am here to defeat the Durbin amendment for one primary reason, because it is what is right.

Mr. DURBIN. Mr. Chairman, I yield 3 minutes to the gentlewoman from Utah [Ms. GREENE], who is in support of this bipartisan amendment.

Ms. GREENE of Utah. Mr. Chairman, I rise in strong support of the Durbin-Hansen amendment. This amendment would prohibit the use of funds for tobacco-related extension services and for tobacco crop insurance.

Mr. Chairman, we have had to make many difficult choices in the appropriations process in this Congress, but this amendment should be offering us an easy choice. We simply have to ask ourselves the following question: Why is the Federal Government subsidizing the tobacco industry?

We now have incontrovertible evidence regarding the catastrophic damage tobacco use does to our citizens, to our economy, and to our Federal budget. More than 400,000 Americans die every year because of cancer, heart disease, and other smoking-related illnesses. Smoking costs our economy approximately \$50 billion a year in direct health care costs and another \$50 billion in indirect costs such as lost productivity through sickness and premature deaths. It is estimated that Medicare will be forced to spend approximately 800 billion taxpayer dollars over the next 20 years to care for people with smoking-related illnesses. Given these profoundly troubling facts, how can we ask this House to appropriate another dime for the tobacco industry?

Setting aside the individual health concerns for a moment, let us look at this issue from a purely economic perspective. How can this House ever justify subsidizing a product that directly increases our Federal health expenditures so dramatically, let alone during such challenging budgetary times?

Mr. Chairman, this amendment takes another critical step toward bringing our budget priorities in line with the realities of the danger and the expense of tobacco. Previous Congresses have already prohibited USDA funding for tobacco-related research and export assistance. This amendment is the overdue next step.

The \$25 million that the Durbin-Hansen amendment will save will be used to restore cuts in funding for rural development and health programs. For example, this amendment will increase

rural water and sewer assistance by \$22.5 million. Mr. Chairman, the USDA has estimated that over 400,000 rural households are still without safe and affordable water. Addressing that problem should take priority over subsidizing one of America's most lucrative industries.

□ 1700

This year the Federal Government is spending \$98 million on a variety of taxpayer-supported programs for the tobacco industry. We have heard that this is discrimination, that this should be treated like any other crop, but unlike other crops, tobacco has no safe level of use, and of all the crops grown in this great country only tobacco has a body count. This crop should not enjoy the same Federal assistance and protection that other crops do.

Mr. Chairman, I urge my colleagues in the House to support the Durbin-Hansen amendment.

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

Mr. WARD. Mr. Chairman, I rise in opposition to the Durbin amendment, and I do so reluctantly because I admire the gentleman and have worked with him and have enjoyed getting to know him since I got here, but I think this amendment is really not aimed at the right folks, and I mean this sincerely.

This amendment is going to be aimed at the people who produce tobacco on farms, and those are not the people who are getting rich on tobacco; those are not the people who we hear about when we hear about the tobacco issue being discussed; rather, these are the people who are able to stay on their family farms because of the income they derive from their tobacco allotment, and these are not large farmers.

As we heard from the gentleman from Georgia [Mr. BURE], these are people who are farming, 2, 3, and 4 acres. The size of their acreage is comparable to home sites in some parts of this country. These are not big agribusiness folks, these are regular people, and it is these tobacco crops that are allowing them to keep these farms in the family.

The reason that I know that, Mr. Chairman, is that I know these people from my community. Mostly they do not live in Louisville, KY, but they work in Louisville, KY. And Members might say to me how do they work in Louisville if they farm tobacco? Well, the reason they work in Louisville is that the tobacco income is what keeps them on the farm, but what keeps their families going is their factory job income. They work in Louisville at United Parcel Service or General Electric or one of the other manufacturers in Louisville, one of the other large business enterprises, to keep their family farm and their way of life.

So as we have heard today, this amendment is not about attacking tobacco, this amendment is not about attacking the large tobacco companies;

the brunt of this amendment will land on the small farmers.

Mr. DURBIN. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. HINCHEY].

Mr. HINCHEY. Mr. Chairman, I am very much in support of the amendment of the gentleman from Illinois, and I commend him for offering before the House.

Over and over this afternoon we have heard the opponents of this amendment attempt to equate tobacco with other products, with corn, wheat, and soybeans, but there is no equation of tobacco with those products. Those products provide the food and fiber which sustains our health and our lives.

Tobacco is fundamentally different. Tobacco promotes dependency, addiction and death. There is hardly a family in America that has not been affected by this addictive drug and the health consequences that it causes. In my own family we have been robbed of the counsel and comfort of members who have been taken prematurely as a result of the addiction to tobacco. That affects everyone and that is what this amendment is all about.

Tobacco costs us. It costs us billions of dollars, several hundred billions of dollars a year in health care costs related to the effects of tobacco.

We send a contradictory message. We tell people they should not smoke, but we are here subsidizing the essence of that smoking. Cigarettes and smokeless tobacco, which is the basis of this amendment, causes addiction and causes death. We say to our kids, do not smoke. And they say to us: "If smoking is so bad, why is the Government paying people to help them grow tobacco? Why is the Government paying people to go out and help them grow better crops and grow more tobacco? Why is the Government subsidizing insurance if it is so bad? I do not understand what is going on here," they say to us. "You are telling me two different things."

If we are sincere about dealing with the problems of tobacco in our society, which are costing us so much, robbing us of productive people, causing enormous expenditures in our health care delivery system, which affects our budget deficit on a daily and yearly basis, then we need to be consistent in the message we are sending and we need to support this amendment which will help us bring about that consistency.

Mr. DURBIN. Mr. Chairman, I yield 2 minutes to the gentleman from Delaware [Mr. CASTLE].

Mr. CASTLE. Mr. Chairman, I thank the gentleman for yielding me this time, and I rise in support of his amendment.

Mr. Chairman, the Federal Government, as has been stated earlier today, spends roughly \$98 billion on a variety of subsidies for tobacco. Tobacco use is responsible for one out of every five deaths in America. Tobacco products are responsible for more than 400,000

deaths each year due to cancer, respiratory illness, heart disease, and other health problems.

Cigarettes kill more Americans each year than AIDS, alcohol, car accidents, murders, suicides, illegal drugs, and fires combined. Smokers who die as a result of smoking would have lived on average 12 to 15 years longer if they had not smoked. Smokers are 50 percent more likely to bear mentally retarded children, and on an economic basis smoking costs our economy over \$50 billion a year in direct medical costs.

Then there are the young people. Smoking is also a major issue for our young people. An estimated one out of every six American teenagers are regular smokers. Every day approximately 3,000 people begin smoking and over half of them have become addicted. Over 70 percent, it has been said 80 percent on this floor, of adults who smoke started smoking daily before age 18. One quarter of these new smokers will eventually be among the more than 400,000 who die of tobacco-related illnesses each year.

One day in Delaware I was going through a pharmaceutical supply house and they had a room called the smokers room, and it was all liquid food, basically for people who had smoked and no longer could eat regular food as a result of that smoking.

Given these facts, the amendment we are considering today is a very modest one. It would simply reprogram \$25 million of tobacco subsidies from tobacco-related extension services and tobacco crop insurance to rural development and health programs, a very good cause, by the way, giving rural areas safe drinking water.

Mr. Chairman, it is difficult to justify using scarce taxpayer dollars on a product which literally kills those who use it as directed. I strongly urge my colleagues to support the Durbin amendment.

Mr. SKEEN. Mr. Chairman, I yield 5 minutes to the gentleman from Georgia [Mr. KINGSTON].

Mr. KINGSTON. Mr. Chairman, I thank the gentleman for yielding me this time and I rise in opposition to the Durbin amendment.

Mr. Chairman, we have heard a number of good arguments today on both sides. I know the gentleman from Illinois [Mr. DURBIN] is very sincere in his beliefs, as are the other folks who have spoken with their various issues. We have heard debate, though, that I think should be categorized in two areas, one is philosophical and one is specific to the amendment.

Philosophically, we do have a debate of the U.S. role in the tobacco industry. What is the proper Government role? The Government, for example, spends millions of dollars on the ASSIST program and on the DARE program, which are, among other things, tobacco-oriented education programs that teach people, students, not to get involved with illegal drugs and then

some of the legal, I do not know if they are drugs, but alcohol and tobacco and other habits that young people can, all people can fall into.

We spend lots of money on these programs and we do spend money in an indirect fashion on tobacco, yet we also have heard many times that that program brings in \$1.4 billion in revenue. So it is certainly not a perfect program the way it is handled right now, and yet, as we look at farm programs in general, none of them are perfect and often we do have some inconsistencies in what we are trying to do in the big picture.

But if we get away from the philosophical debate, and I think we should have the philosophical debate, for example, one of the things that has not been brought up, in my opinion, is the freedom argument. I think that people in America do have a freedom to engage in smoking or not to engage in smoking, a freedom to overeat or not to overeat, a freedom to exercise or not to exercise. And I would also submit to my colleagues that the statistics that I read, which are often attributed to smoking in terms of illnesses, often the person who is that statistic is not eating right and is not exercising right as well, but it is the cigarette industry that always gets blamed for it.

But let us move away from the philosophical debate, because what we are arguing here is not philosophy, what we are debating here is the Durbin amendment. And the Durbin amendment says that farmers cannot participate in the Federal crop insurance program and they cannot have communication with the extension service folks.

Now, as long as tobacco is a legal crop, does it make sense to say the farmers in America cannot do what other farmers are doing who farm cotton, wheat, corn, soybeans, peanuts, sugar, and so forth; they cannot participate in a subsidized crop insurance program?

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

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

Mr. DURBIN. Mr. Chairman, I would note one fact that was brought up early in the debate, there are 1,500 legal crops in the United States, only 60 of the 1,500 are covered by crop insurance. There are many things the gentleman and I could grow that would not even qualify for crop insurance, and that is the basis for this amendment.

Mr. KINGSTON. Mr. Chairman, reclaiming my time, that is correct, but I believe the ones that are subsidized are ones that have Federal Government programs, and so the ones I have named are the ones where there is a Federal Government program.

My point is, as long as it is legal, is it right to tell a farmer that he cannot participate in it? I am not sure that it is right. I think it is a tad punitive, although I certainly know that the gentleman's target is not the farmer.

The other thing is this communication with the extension service agents. These are the agents who tell folks how to apply pesticides and fertilizers and so forth, and often, as the gentleman knows, because he is a gentleman who likes to protect the environment, misuse of pesticides and fertilizers can lead to environmental impairment, and yet tobacco farmers would be unable to get the needed expertise from the extension service agents.

There are also ramifications on the loan program and so forth. So I would say that what the Durbin amendment does is, while philosophically this is not its intent, in reality it has the effect of hurting farmers and I think is somewhat punitive. I believe that a better approach would be the general philosophical debate on tobacco at the proper time and also continuation of programs like the DARE Program, the ASSIST Program, possibly looking into the outlawing of cigarette vending machines, because they are readily available to minors, and maybe having some tricky debate about first amendment rights in terms of advertising that entices young children to get involved in cigarette smoking, and so forth.

These things the gentleman and I have talked informally on. We are not really on the proper committee of authorization for it, but I think it is something this House should hold a debate on. But on the current amendment that is pending I believe the proper vote, Mr. Chairman, is "no."

Mr. DURBIN. Mr. Chairman, I yield 5 minutes to the gentleman from Connecticut [Ms. DELAURO].

Ms. DELAURO. Mr. Chairman, I thank the gentleman for his leadership, and I rise in support of the Durbin-Hansen amendment because it is time to stop spending the taxpayers' hard-earned money to subsidize a product that kills over 1,000 Americans every single day.

Each year more than 400,000 people die prematurely of tobacco use. As my colleague from Delaware pointed out, cigarettes kill more Americans each year than AIDS, alcohol, car accidents, murders, suicide, illegal drugs, and fires combined. Fifty billion dollars is spent on health care related to tobacco use.

Despite all that we know about the health hazards of tobacco, too many of our young people, especially the young ones, continue to light up. In my own State of Connecticut, one out of three 9th through 12th graders have smoked a cigarette in the past month. About one out of five 9th through 12th graders smoke regularly.

□ 1715

More preschoolers in this country recognize Joe Camel than they do Mickey Mouse. We have a problem in this country. And industry, like big tobacco, that can find the money to run ads so convincing to appeal especially to young people about the glamour of

tobacco surely does not need taxpayers' money.

About 3,000 young people across the Nation under age 18 become regular smokers every day. On average, they start smoking at age 14. Tragically, one out of three of these teenagers will die of a tobacco-related illness. We must stop this killing of our family members and our friends.

I am doing all I can to prevent these tragic deaths. At home I started a campaign called Kick Butts Connecticut, targeted at middle and elementary school kids to prevent them from ever starting to smoke.

More than 80 percent of all adult tobacco smokers had tried smoking before their 18th birthday and more than half of them had already become regular smokers by that age. Studies show that if people do not begin smoking as teenagers or as children, it is very unlikely that they ever will do so.

I think public education campaigns are vital to the war that we are waging against cancer in this country. We truly do need to do more if we are to cut the number of tobacco-related deaths in this country.

And despite the deadly impact of tobacco, some have argued that we cannot simply abandon our Nation's tobacco farmers. This amendment does not abandon them. It takes the \$25 million in savings from the elimination of the tobacco subsidy and puts it into productive uses in agricultural regions all over this country. The money saved would be used to improve water and wastewater for development purposes, expand the use of technology and advance education and medicine in rural areas.

These funds would create great alternatives for struggling areas of our country, without relying on taxpayer-funded subsidies to promote an industry that kills. This appropriations bill, like all appropriations bills, is really about our Nation's priorities, and I do not understand how we can support the tobacco subsidies in this bill and at the same time are proposing in other areas to gut and decimate Medicare.

Mr. Chairman, we have the opportunity today to send a very clear message to the cigarette industry and to the grim reaper, big tobacco. Let us stop wasting taxpayers' money to promote an industry that has been truly so costly to this Nation. It is time that big tobacco learned to get along in this business without the taxpayers' hard-earned dollars. It is time that we get the tobacco industry off of the Federal Treasury, and I urge my colleagues to vote "yes" on this amendment.

Mr. SKEEN. Mr. Chairman, I yield 5 minutes to the gentleman from West Virginia [Mr. WISE].

Mr. WISE. Mr. Chairman, I always hesitate to enter this debate, but I think it is an important one. I always put out my caveats to begin with. First of all, I do not smoke; I do not counsel anybody to smoke.

Second, I support the basic thrust of the FDA regulations that would pre-

vent young people or seek to prevent young people from smoking or having accessibility to cigarettes.

And, third, so that this issue of who gets what campaign contributions is off the table, I have declined to accept tobacco contributions so that when I argue this no one can charge any kind of financial motivation.

But, Mr. Chairman, I rise in opposition to this amendment because this is not about big tobacco, No. 1. Big tobacco is the tobacco company that makes the product. This is about a lot of small farmers, of which there are hundreds in West Virginia. We are pale in comparison to the Kentuckys and North and South Carolinas of the world, but yet we do have a large number of small tobacco farmers that are making this as a part-time living.

But I simply do not understand what is gained by kicking a lot of small tobacco farmers in the teeth. I guess I resent the fact that this would say to them, "You are not going to be able to derive the services of the agricultural extension service who can drive by your place, stop off and see this person raising this crop, and this one raising that one, but you, who also pay taxes, you who are trying to send your kids to school, you who are probably working some regular job in addition to trying to work nights to get this crop in, you do not get the benefit of that agricultural extension agent. You do not get to learn about the latest pesticides or fertilization or whatever it is. You do not get any of the assistance that everybody else that raises a crop does."

If, indeed, as many of us predict, that we drive this production overseas, that is that now we are buying more and more foreign tobacco, tell me what assurance that we have got that the farmer in the developing nation is using the latest scientific techniques that we would want to have our farmer using?

Mr. Chairman, what concerns me most about this is that I do not see where this stops one cigarette from being produced. There are going to be the same number of cigarettes come rolling off the lines. There is going to be one difference: There is not going to be any American content in there. It is going to be foreign content. And so what that means is that we are supporting a whole host of foreign nations.

My understanding, and I have no reason to doubt it, is that if we pass this, this is actually in some way a big-tobacco amendment because what it does is it permits without any hesitation, it permits the large tobacco company to go buy what they would like to do, the cheaper foreign tobacco.

And so what we have done here is to not prevent one cigarette, not decreased one cigarette from being produced, but added greatly to the foreign balance-of-trade deficit.

Restore \$25 million. Boy, I would love to have additional money for rural water and sewer. I would love to have that money. The reality is it has been

cut far too much; \$25 million over the country is not going to go very far. But I have a question: Who is that rural water going to serve in a lot of areas if we, indeed, pass this amendment and make in many parts of our country the rural tobacco farmer and the small tobacco farmer that much poorer?

There is a final point. Here I got real conservative. At some point people choose. And we are not stopping the tobacco extension agent from visiting the person who raises grain or other products that might eventually find their way into the alcohol consumption chain? Perhaps we ought to require them to sign a certificate that it will not be used for any alcohol products so at some point people choose what it is they are going to do.

So by passing this, we perhaps go and get a bunch of small tobacco farmers but have not made it illegal, we have not reduced one cigarette, all we have done is to grant a large number of people who are eking out relatively small livings have that much more difficult time to do of it and we have not reduced cigarette consumption one bit. I do not understand it.

I appreciate the motivation that the gentleman and other supporters of it have. I support education, every kind of effort possible so that people, when they make choice, make it on an informed basis. But going after the small tobacco farmer and saying that we have done something, I just do not think that is what this amendment does, and I would urge defeat of it.

Mr. DURBIN. Mr. Chairman, I yield 4 minutes to the gentleman from California [Mr. RIGGS], who is a Republican cosponsor of this amendment, and I thank him for his patience.

Mr. RIGGS. Mr. Chairman, I thank the gentleman for yielding and for his very strong leadership on this particular issue.

Mr. Chairman, I feel this is a very important initiative, and at the outset of my remarks, in the spirit of full disclosure, I have an admission to make. I was born and raised in Louisville, KY, and I have never used these a day of my life. Yet, as I listen to this debate, I realize that there is a tremendous contradiction, a dissonance that surrounds this debate, because right on the side of this packet of cigarette it says: "The Surgeon General's warning: Quitting smoking now greatly reduces serious risks to your health."

So the Government already warns citizens of the harmful effects of tobacco, yet the Government, or more accurately the taxpayers, partially subsidize the production of tobacco. The Government gives a tacit acceptance to the production of this crop even though on the other hand it warns against its use.

Now, colleagues, we should be consistent here. This is not a discriminatory or hypocritical or mean-spirited amendment. This is about right and wrong.

Mr. Chairman, the other thing that I want to add to this debate, we have

heard speaker after speaker come down to this well, on both sides of the aisle, and remind us of what we already know, which is that smoking is the leading cause of avoidable premature death in this country today. Using this product, which may well have been produced or made at least through partial subsidies from Federal taxpayers, is the leading cause of avoidable premature death in our country today.

And it is taking an enormous and growing and deadly toll each year. Tobacco products are responsible for more than 400,000 deaths each year in America due to cancer, respiratory illness, heart disease, and other health problems. Cigarette use and use of other tobacco products kill more Americans each year than AIDS, alcohol, car accidents, murders, suicides, illegal drugs, and fires combined.

Smokers who die as a result of smoking would have lived on an average 12 to 15 years longer if they had not smoked. And that results in a loss to society of roughly \$40.3 billion in lost productivity.

Now, I mentioned the health care costs associated with the tobacco use are rising. Hence, good reason for the warning on this packet of cigarettes. The Centers for Disease Control estimate that the health care cost associated with smoking, and this is just for the year 1993, total \$50 billion. \$26.9, or \$30 billion for hospital costs, \$15.5 billion for doctors, \$4.9 billion in nursing home costs, \$1.8 billion for prescription drugs, and \$900 million for home health care expenditures.

So, Mr. Chairman and colleagues, I think we should be concerned about helping tobacco farmers make a transition to other crops, but right now we have a fundamental choice that involves right or wrong and, I believe, a responsibility to be accountable to the people who elected us, the people we represent, and the American citizens who overwhelmingly favor elimination of Federal taxpayer subsidies for tobacco farmers.

So while I empathize with my colleagues who represent tobacco districts and tobacco States, let us work together, let us pass this amendment, then we can work perhaps to help the farmers that we represent make a transition to good alternative crops that do not require Government warnings and are not inherently injurious to the public health.

Mr. SKEEN. Mr. Chairman, I yield 3 minutes to the gentlewoman from Florida [Mrs. MEEK].

(Mrs. MEEK of Florida asked and was given permission to revise and extend her remarks.)

Mrs. MEEK of Florida. Mr. Chairman, this is an issue that whenever it comes to the floor, I always speak out. And my reasoning is quite a bit different from any of my colleagues. I have a tremendous respect for the gentleman from Illinois [Mr. DURBIN], and whatever he says is correct. I do not disagree with him, nor do I disagree

with any of the others who spoke for this amendment. But I am against this amendment. Mr. Chairman, I must ask my colleagues not to support it, and I will tell them why.

First of all, if I thought the Durbin amendment would reduce or stop smoking, I would vote for it and get other people to vote for it. But the Durbin amendment will not stop smoking and it will not reduce smoking at all.

Philosophically or morally, it is excellent. I wish we could legislate morals and keep people from doing things that would kill them. I wish we had that power. If we had the power in this Congress to legislate initiatives that would stop people from doing things which kill them, we would do a marvelous job, and I appreciate anyone trying to do it.

Mr. Chairman, I remember when my father used to pull tobacco over there in Quincy in Monticello, FL. That is the only place my daddy could get a job. I am from Tallahassee, FL. During those days, black Americans could not get a job in north Florida doing anything, but he was able to go on to this farmer industry and get a job. They did not ask him if he came from Carroll's Quarters. They did not ask him anything. I will never forget that. These small farmers, I think many of us do not understand what it means to be economically viable by using the farm. And this country was built on the farming industry. It helps to keep us all going. I will vote against anything. If Members go against peanuts, I will vote against them there. If Members go against tobacco, I will vote against them there.

But, Mr. Chairman, if I thought this amendment were doing anything good, I would vote with my colleagues in favor of it. This Durbin amendment should be defeated because it discriminates against these small farmers and the small communities. If my colleagues think it is going to do anything with the big tobacco industry, then they are wrong. They may be thinking that we can legislate it, but we cannot. If we do not let them consult with their extension service people, we are leaving a big educational void out there. They can help prevent some of the things that we are talking about. Education is the key.

I heard my colleague, the gentlewoman from Connecticut [Ms. DELAULO] talk about what she has done in prevention programs in her community. That is it.

□ 1730

She did not need any legislation to do those things. She knows that what turns this country around is to turn the mindset around. The mindset has to be turned around. You cannot turn that mindset around through legislation. We think we can but we cannot.

Now, the program that we are talking about has its merit. It does not cost this Congress or this Nation anything.

We are watching the budget as much as we can. We all are watching our health, and we must continue to do that, Mr. Chairman. Government cannot do this for us. You can cut the subsidy if you want to. But it will make no changes in the people who smoke cigarettes. Vote against this amendment.

Mr. DURBIN. Mr. Chairman, I yield 4 minutes to the gentleman from Massachusetts [Mr. OLVER].

Mr. OLVER. Mr. Chairman, I thank the gentleman for yielding time to me. I certainly commend him for his leadership on this issue in all the years that we have served together.

Since so many Members here have given their own little personal disclosures, I will give one, too. I was born and brought up on a farm in Pennsylvania. At a particular time in my life, I found some cigarettes in the dairy barn. My father, I believe, had carefully soaked those in horse urine, and I did not find much further temptation in the matter. In any case, so much for the disclosure.

Mr. Chairman, the issue today is not a question of the number of dollars, the \$15 billion of revenues that are lost by the Federal or State governments in relation to the tobacco industry, although it is easy to show that the health care costs to the public as a whole are at least \$100 billion a year, taking the direct and the indirect costs. At least half of that comes directly out of the public treasuries of the same Federal Government and the State government. So it is many times the tax revenues that are gained in the process.

Nor is the question the one of political correctness. The question really is that we are using Federal dollars, Federal expenditures to assist in the production of tobacco, which is the product with the greatest threat to the public health. One other previous speaker pointed out that this is a legal product, tobacco is, that every farmer has a legal right to grow as well as they have the right to grow corn and wheat as soybeans. He was right. There is no question he was right.

The difference is that none of those, neither corn nor wheat nor soybeans has the effect that tobacco has. Only tobacco ends up representing the greatest threat to the public health in this country. The difference is that we are using Federal dollars to continue that assistance to the tobacco industry to continue this crop which represents the greatest threat to our public health.

I really wanted to dwell for a moment on what these funds would be used for if we switched the fund to a legitimate purpose. Within this last decade, all over this country, in at least 1000 communities in this decade alone, communities with fewer than 10,000 people have had public safe drinking water supplies and wastewater disposal facilities and solid waste disposal facilities subsidized with the help of moneys. Most of the money that would be saved from, if we passed this amend-

ment as we should, most of that money would go to helping other small communities to build those public safe drinking water supplies and waste disposal supplies.

In my district alone, in my State alone, over \$100 million has gone into those. We desperately need, there are hundreds of other communities that are looking for that sort of assistance, both in grants for the poorer communities and in loans at low interest for the less poor communities of small size to be able to build those public facilities for safe drinking water and for wastewater disposal.

What I am asking here is that we vote for this amendment and use these moneys for the public health in rural communities all over this country, rather than for the assistance to the production of the product which is so devastating the public health in this country.

Mr. SKEEN. Mr. Chairman, I yield 1 minute to the gentleman from Kentucky [Mr. LEWIS].

Mr. LEWIS of Kentucky. Mr. Chairman, I thank the chairman for yielding time to me.

I would just like to take a minute and talk about my colleague from California that spoke a little while ago on the floor. He held up a package of cigarettes and talked about the warning label. He asked why should the Government support the tobacco farmer with the fact that there is a warning, a health warning on the side of that cigarette package. I wish that he would have brought along a wine bottle also because on the side of the wine bottle there is a warning label concerning that person's health.

Since the gentleman represents a district where there are grape growers and he represents the wine industry, I wonder why it is different that there is support for the wine industry. I noticed he voted for the Kennedy amendment. Why should there be a difference in that and the tobacco farmer? I just thought that would be a good question to ask.

Mr. DURBIN. Mr. Chairman, I yield 4 minutes to the gentlewoman from Texas [Ms. JACKSON-LEE].

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Chairman, I want to address the gentleman, Mr. DURBIN, directly, because I would like to thank him for his leadership. Frankly, I think it is important that this debate be noted, that you have actually been very kind, fair minded, and balanced. I am somewhat dismayed as I listen to this debate, the accusations about those who would be put in harm's way because of this amendment. Maybe I need to just for a moment detail what we are talking about.

First of all, I think we have noted that this amendment dealing with this particular industry responds to just a small corner of the tobacco industry,

which happens to be one of the fastest growing and most lucrative industries in the nation. Might I say that, in addition to being lucrative, it has a worldwide market. We can find in Asia and in India and Africa, in the European continent that tobacco is doing quite well. So this is really a kind amendment. It is a sensible amendment, and it is a fair-minded amendment.

What it does for those who are whining on the other side, it does nothing to deal with Federal price supports. The industry still has that. Being very lucrative, I would argue very vigorously for the amount of costs that it costs us in health care costs, we really should take away Federal price supports. But this amendment does not do that. It simply takes away from a very prosperous industry those Government subsidies that help in the administration of crop insurance, which by the way it does not hinder a farmer from going into the private sector for that. It also takes away certain extension services as well as certain promotion services. Do you not understand how kind we are being to an industry that promotes death and devastation in our community?

Again, this is a first step in saying that we recognize that we have a problem with tobacco. It is addictive. What it does do, it provides for us good results. I thank the gentleman from Illinois [Mr. DURBIN] for it because he comes from a State such as Illinois, like Texas, that combines rural and urban centers. Time after time I have heard from our rural communities coming from Texas how they are at a disadvantage for educational resources and health resources.

In fact, I have spent a number of years on an indigent health care task force in the State of Texas. We were trying to prevent hospitals in rural areas from closing. Unfortunately, we were not all that successful. This legislation will allow moneys to be used to help communities obtain the facilities and equipment to link rural education and medical facilities with more urban centers and other facilities. These telecommunications linkages provide rural residents access to increasing educational opportunities and to access better health care.

I hope that my colleagues will really look at what the gentleman from Illinois, [Mr. DURBIN] and his colleagues have done in this legislation, for they have given the tobacco industry a real break, unfortunately. They have allowed them to keep Federal support systems, price support systems, but in fact they have begun to make the statement in a fair and balanced way that enough is enough.

This is a lucrative industry. This is an industry that can support itself. Why should we promote the devastation that this creates? Why not help end the 400,000 deaths that we have every year from cancer and heart disease and other illnesses? Why not begin the diminishing of the promotion that already exists in this industry?

I would simply say, if all of us would be fair and balanced and, yes, a little kind today, we would support the Durbin amendment, for the Durbin amendment stands for where we need to go in this country. That is for good health. It does not in any way diminish the opportunities for those small farmers who insist on and must stay in this business. What it does say to America is that we believe that it is time now to end the promotion of something that causes 400,000 deaths every year in this Nation.

Mr. SKEEN. Mr. Chairman, I yield 4 minutes to the gentleman from Tennessee [Mr. GORDON].

Mr. GORDON. Mr. Chairman, today's debate is a classic example of the cliché that everything has been said, it is just everyone has not had a chance to say it. In that tradition, let me give my quick synopsis of how I view this debate, what it is about and what it is not about. It certainly is not about smoking. It certainly has nothing to do with reducing the size of Government. It has nothing to do with tobacco company products. What does it have to do with?

Well, if the Durbin amendment passes, it has to do a lot with American jobs, the loss of American jobs. If the Durbin amendment passes, then there is going to be a lot of small tobacco farmers that are going to go out of business. Now, how does this affect the tobacco companies; fine with them, foreign tobacco is cheaper anyway. So their profit goes up. As a matter of fact, it is cheaper to produce cigarettes offshore, so let us just go offshore and produce them and you save even more money. There are more American jobs that go offshore.

Let us make no mistake about this debate today. It has nothing to do with smoking. It has nothing to do with reducing the size of Government. It has to do with jobs, American jobs. A vote for the Durbin amendment means shipping American farming jobs overseas, American manufacturing jobs overseas. A vote against the amendment means keeping those jobs here in America. That is what this debate is all about.

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

Mr. Chairman, let me thank my colleagues, particularly the gentleman from New Mexico, for his patience. I think this has been an important debate. It has gone on longer than any other debate on this bill, but, frankly, I think the issue at hand is one of the most important facing us today.

I wanted to acknowledge two people: one who is not here and one who is. The one I would like to acknowledge who is here is my staff assistant, Tom Faletti. Tom Faletti has been standing by my side on this tobacco issue for 10 years. He has covered me with glory in those rare moments when we have defied the tobacco lobby. He has stood by me loyally and forgiven me my defeats and my failings in the course of this experience, taking on the most powerful lobby in Washington.

I know the results of the vote last year. We were defeated with the same amendment. I sense today that it might be better, I hope it is. But let me just say this: One of the reasons I am involved in this debate is because another person I served with is not here today. His name was Mike Synar of Oklahoma.

Mike Synar was a tiger on this issue. He paid for it dearly in terms of losing his congressional seat when the tobacco companies turned on him and managed to defeat him. Mike gave up one of the most precious things to him, next to his family, his congressional career, because he believed so intensely in this issue. Those of us who come to this side of the table have that same passion.

□ 1745

I respect those on the other side, too, because they speak with conviction and passion as well.

I listened to this debate today and jotted down a few of the words that have been used to describe either me or my amendment. I say to my colleagues: You have to have a pretty tough mental hide to be in politics, to hear people get up on the floor and call you or your amendment, in full view of the C-SPAN audience and the people here, "mean-spirited, punitive, misdirected, hypocrisy at the highest level, self serving, political and cruel," and I think they were warming up to some stronger words before they finally had to sit down. I understand that the emotions really run high on this issue. They certainly run high on this side of the issue, those of us who have fought the tobacco companies for so long.

First, let me say a word about tobacco farmers and growers. For as long as I have been involved in this debate, from the very beginning, I have made known to every congressman and congresswoman from a tobacco-producing State: "I will join you at the table to find transitions for these tobacco growers to go into some other crop. I will work with you, I'll subsidize it." I do not have any battle with these poor men and women who are struggling to make a living, but I can tell my colleagues honestly no one ever takes me up on my invitation. The reason they do not take me up on the invitation: there is no crop that one can legally grow in America that is as profitable as tobacco; not one.

For example, the gross receipts per acre, on tobacco, are \$4,000; the net receipts from \$1,400 to \$800. In my part of the world we grow a lot of corn and soybeans. Corn, gross receipts per acre will run \$400 to \$800. A farmer might take half of that away.

So look at the difference here. It is anywhere from 3 to 10 times as lucrative as growing some other crop. That is why the tobacco farmers do not want to leave it. They cannot make any kind of money close to that growing any other crop on their land. They just do not want to give it up.

But quite honestly, I think it is time for the Federal Government to say to them, "You're on your own," and that is what this amendment starts to do. It takes away the subsidy for crop insurance and the subsidy for the extension service for these tobacco farmers.

Let me also mention this argument about jobs. The previous speaker, my friend from Tennessee, stood up and said the Durbin amendment will cost jobs. It will. It will. Because if we can diminish the use of tobacco in this country, we will have fewer respiratory therapists, we will have fewer cancer specialists, we will have fewer surgeons operating on people who are devastated by the diseases attached to tobacco. Make no mistake about it. The jobs associated with tobacco in this country, the best-paying jobs, are associated with the victims of tobacco in this country, and we have to be sensitive to that fact as well.

I feel sorry for those working in tobacco companies, but let me tell my colleagues: The product they are selling is killing people every single day.

The gentlewoman from Utah said earlier there are a lot of agricultural products. There is only one agricultural product in America that has a body count, and it is tobacco. That is why it is different, and that is why it should be treated differently.

Forty-seven of my colleagues from both parties have joined me in a task force taking on the tobacco industry. Let me say to my colleagues when I first got to Congress, that was unthinkable. No one came out publicly against the tobacco lobby. Now there are 47 of us, and occasionally we can put a majority together on the floor.

For those who argue, and one of my colleagues did, well, these folks who oppose tobacco, they get a lot of big political contributions too. Let me tell my colleagues I am still waiting in my office for my first PAC check from the American Cancer Society, the American Heart Association, the American Lung Association, the Coalition on Smoking and Health. These health groups give away a lot of psychic income, they do not write the checks like the tobacco lobby will for the people who vote against the Durbin amendment today. On the political ledger all the money is on the other side. We have to struggle and put this battle up because it is something we believe in.

Now let me close by saying this. I certainly hope that my colleagues will take this amendment very seriously. I do. This has been a 10-year battle that this Congressman has waged on this floor of the House. We started off with a victory banning smoking on airplanes. We extended it to flights all across the United States. The tobacco companies said it was the end of the world; try to stop smoking on airplanes, they are going to be beating up the flight attendants and smoking in the restrooms. It never happened. It never happened. People knew that sensible regulation of smoking is something that this country ought to be

doing, and now it is time for us to get out of the business of subsidizing tobacco.

Mr. Chairman, this Durbin amendment will give to my colleagues the right answer to the question: Congressman, if this product kills so many Americans, why in God's name does the Federal Treasury subsidize it?

By voting for the Durbin amendment, my colleagues who support me will be able to say to those colleagues we ended it, and we ended it in the right way, saying to tobacco growers; find another line of work, or at least support your production of tobacco on your own dollar, not on the dollar of taxpayers.

Mr. SKEEN. Mr. Chairman, I yield the balance of my time to the gentleman from Kentucky [Mr. ROGERS].

Mr. ROGERS. Mr. Chairman, I thank the gentleman for yielding this time to me and thank him for his work on the bill to which this amendment has been attached.

Mr. Chairman, I hope not to consume the entire time because I think we have had a good debate and we have heard practically every point that conceivably could be made on both sides of the issue.

Mr. Chairman, one could have thought by listening to this debate that there was an amendment on the floor to abolish smoking or an amendment that would have declared smoking to be the most dangerous thing one can do or an amendment that would have prohibited the big cigarette companies from deducting the advertising costs, or some such thing, because we have heard all of these arguments about whether or not smoking is good for us, which has nothing to do with the amendment.

We have heard all of the attacks on big tobacco as if it was one big monolithic thing, and if we attack one part of it, we are attacking the whole thing. The gentleman maybe does not understand, that offered the amendment, what tobacco is, the industry, if we want to call it that; there is big tobacco, the cigarette companies, perhaps big cigar companies, perhaps big chewing tobacco companies and the like. They are big worldwide. Philip Morris is a huge corporation.

Then there is little tobacco that is grown in the districts of these Members who have spoken. They are not big. It is a family. The average acreage is probably 2 acres on red clay on a 35-degree-angle farm, and they cannot grow anything else. They are trying; believe me they are trying. There are experiments on aquaculture, growing fish, and they are trying to grow other types of crops all over tobacco land. But right now these are poor dirt farmers.

My colleagues are not attacking Philip Morris here with your amendment. They are not attacking big tobacco. They are attacking little tobacco. These are the most vulnerable people that we could possibly talk about when we talk about tobacco.

I grew up on a hillside farm. We grew rocks on a very small farm. We also have a small patch of tobacco, and that was the only way that my father could raise this family, and send us to school, and buy the food on which we lived. That story is repeated 100,000 times around this country every year. We are not Philip Morris. We are not big tobacco. We are little. And we are poor. And we are scrapping, just trying to earn a living on 2 acres or 1 acre of tobacco. That is the average crop. We do not grow tobacco like they grow corn in Illinois, by the thousands of acres. There is no way to conceive of a scale when growing crops on that scale with a 2-acre patch of tobacco on a hillside in the hills of Kentucky or Tennessee or North Carolina or Georgia or wherever, 23 States.

Yet, Mr. Chairman, the gentleman's amendment does not try to outlaw smoking. Perhaps he should try that. It does not try to outlaw the Tobacco Price Support Program which protects big growers as well as small growers. No, the gentleman just singles out the most vulnerable people that we have, the little tobacco people, and, yes, we are emotional about it; yes, that is the reason for encountering people who are fighting fiercely because we are trying to defend people who are defenseless but for us.

Mr. Chairman, the gentleman from Illinois does away with this program for these small farmers, and ironically and paradoxically he is helping big tobacco. Only then will tobacco be grown by big tobacco, and they would love that. They have been trying to do that for years. But for us here, tobacco would be grown by the big companies, most of it imported, grown on patches or fields or plantations across the sea where they do not regulate what they can spray on the crop, and we will be bringing in poisoned tobacco for people to smoke here.

People are going to smoke, they are going to smoke something for the time being. Maybe it is not good for them; that is not the question here. They are going to smoke. Question is: Who is going to grow it; the small growers or Philip Morris? The gentleman's amendment says Philip Morris. He may not intend that, but that is exactly what he is doing, believe me.

The gentleman from North Carolina [Mr. ROSE] said it better than I do. Other speakers have said it better than I did. But that is precisely where the gentleman from Illinois [Mr. DURBIN] is headed with this amendment.

His amendment does not deny deductibility of advertising expenses to big tobacco, does not try to abolish the Tobacco Price Support Program which protects big growers as well as small, it does not deny crop insurance or agricultural advice to Philip Morris. No, it denies crop insurance to the poorest people, and the gentleman is allowing them to become the victims of the elements.

Does not hurt Philip Morris. In fact, it probably helps them because they

would grow what we cannot if the gentleman from Illinois knocks us out of the business.

So I think the amendment is misdirected, Mr. DURBIN. The gentleman ignores all the questions I have just asked, and he picks out the least among us, he tackles the poorest. He would cripple those who cannot help themselves by this amendment. He jerks away the only safety net, the crop insurance, for families, kids, children, and leave them to the mercy of the elements.

The large corporate growers do not need crop insurance. The large corporate growers do not need expert agricultural advice which this amendment would deny. They do not need it. The only people that need it are the small growers, and those are the ones that would be impacted the most severely by the gentleman's amendment. By driving out small growers, as this amendment would do, putting them on welfare in the name of trying to harm big tobacco, ironically will help big tobacco because when the small growers are gone, big tobacco will do what they have long wanted to do, and that is grow and import tobacco.

Last year the House realized this very point. We argued these types of things just last year on the floor of the House, and our colleagues wisely said, "No, we will not do the Durbin amendment, it harms the people who we do not want to harm. It is misdirected."

Last week the full Committee on Appropriations denied the gentleman from Illinois [Mr. DURBIN] his amendment in full committee, voted it down 29 to 19 in committee.

I ask our colleagues again on the House floor, "When you vote in a few minutes, think about who you are harming."

□ 1800

Think about the question that is not being addressed by this amendment. This is not a smoking issue. It is not a health issue. It is not a question of whether we are harming big tobacco. We are not. We are harming little tobacco. We are harming the people that none of us, I think, want to hurt. I urge Members when they vote again in a few minutes, vote "no," and help the people who cannot help themselves.

Mr. HEINEMAN. Mr. Chairman, I rise in strong opposition to the Durbin amendment. This is nothing more than a punitive attack on hard working farmers. North Carolina is the leading producer of tobacco, and if the Durbin amendment passes it will drastically hurt farmers in my State. This amendment is misguided and unfairly attacks small family tobacco farmers by denying them important services that are available to every other family farmer who produces agricultural commodities. I urge my colleagues to stand up for farmers and oppose this draconian amendment.

Mr. PAYNE of Virginia. Mr. Chairman, I rise in strong opposition to the Durbin amendment to H.R. 3603.

This amendment would eliminate all support services provided to tobacco farmers by the USDA and its county agents.

It would prohibit the USDA from using funds to provide extension services, market news, and analysis to tobacco farmers.

It would not allow farmers to call upon the guidance of their local USDA agent about how to distribute fertilizer without causing damage to the soil or water or how to apply insecticides safely or how to combat agricultural plagues such as blue mold.

It would also strip from the farmer his right to purchase Federal crop insurance.

Eliminating tobacco crop insurance is simply unfair.

In 1994, Congress mandated the purchase of crop insurance for farmers participating in the Tobacco Program.

Denying tobacco farmers is unfair because they, like other farmers, rely on this insurance when their crops fall victim to droughts, floods, hail, and winds.

Mr. Chairman, this amendment is simply a mean-spirited, direct assault on the hard working farmers and their families who grow tobacco in rural America.

Even worse, some would have you believe this amendment eliminates a Federal subsidy to tobacco farmers.

Let me set the record straight—there is no direct Government subsidy for tobacco.

Since 1982, when Congress passed the No Net Cost Tobacco Act, all costs, except USDA administrative costs, shifted from the Government and taxpayers directed to farmers and tobacco companies.

Since that time, the program has been one of the more efficient agricultural programs, especially compared to similar price support programs for other crops.

Not only does the Tobacco Program take care of itself—it is doing more than its fair share to reduce the Federal deficit. Each year, growers and companies pay assessments that goes directly to the U.S. Treasury for deficit reduction.

Annually, this deficit reduction assessment returns almost \$30 million to the U.S. Treasury.

That's right, almost \$30 million directly going to deficit reduction.

Tobacco's importance to our Federal, State, and local governments can be summed up in one impressive figure—\$62,000; \$62,000 is the amount of money per acre tobacco generates for the public sector.

It generates almost \$15 billion to Federal, State, and local governments in the form of excise and sales taxes.

It contributes \$6 billion in exports.

By any measure, tobacco makes a huge economic contribution to our Nation's economy.

I believe the numbers and facts speak for themselves.

The Federal Government does not subsidize farmers or the tobacco program.

And tobacco contributes very positively to the U.S. Treasury and that of State and localities.

However, this amendment would allow every farmer in America—except tobacco farmers—the right to use USDA extension service agents and guidance.

And this amendment would allow every farmer in America—except tobacco farmers—the right to purchase Federal crop insurance.

Do not be fooled by this amendment.

It is not about punishing the tobacco companies or stopping smoking.

It is about blatant discrimination against tobacco farmers.

Simply put, the amendment is not fair, it is punitive, and it should be defeated.

As a Member of Congress who is proud to represent almost 5,000 honest hard working tobacco farmers I urge my colleagues to defeat the Durbin amendment.

Ms. FURSE. Mr. Chairman, I rise today in support of the Durbin amendment. It defies common sense that our Government supports tobacco while simultaneously spending billions of dollars to combat the public health problems it creates. Tobacco use causes 400,000 deaths in America each year—and every single death is preventable.

Last year, a remarkable young woman in my district. Sarah Weller, got together with her friend Jessica Harding and created an action plan to spread the word about the dangers of smoking and tobacco use. Sarah knows that tobacco use causes massive health problems in America, and she has been working to create a healthier, more productive future. Sarah and her friends know what the entire Congress should know: we should stop supporting tobacco at taxpayer expense.

The Durbin amendment will take the savings from tobacco subsidies and increase funding for sorely needed rural water and sewer projects, as well as rural medical access programs. I strongly support this amendment, and urge my colleagues to support it.

JUNE 26, 1995.

Rep. ELIZABETH FURSE,
Cannon Office Building,
Washington, DC.

DEAR REPRESENTATIVE FURSE: Thank you for meeting with me recently about tobacco prevention issues. All 102 Smoke-Free Ambassadors worked at the Forum in Washington, DC to develop a national Smoke-Free Contract With America. I have enclosed a copy of this document. Most of what we believe in the Contract requires support from our Senators and Representatives. I realize the difficulty of passing these ideas into law.

Jessica Harding and I, the two Smoke Free ambassadors from Oregon, will be doing our best to alert other students and media about what happens to tobacco prevention bills in Congress. It is hard for students to understand why it is so difficult to pass law which would save tens of thousands of lives.

Jessica and I also have developed a state plan of action which is enclosed. Our main concern is with illegal sales of tobacco to children. We will be working hard locally to reduce sales of tobacco to kids.

Thanks again for meeting with us. Maybe when you are in Oregon we could meet to update each other on Congressional and local tobacco activities.

Sincerely,

SARAH WELLER.

STATE PLAN OF ACTION, SMOKE-FREE CLASS
OF 2000, JUNE 1995
STATE OF OREGON

The Smoke-Free Class of 2000 are all 8th graders in the United States who will graduate in the year 2000 who have learned about the dangers of smoking and tobacco use since 1st grade. The students of the Smoke-Free Class OF 2000 have pledged their commitment to lead the younger graduating classes and future generations into a healthier, more productive and informed 21st century.

We, of the State of Oregon Smoke-Free Class of 2000, consider the most important tobacco issues in our state to be: accessibility to teens.

As advocates for all 8th graders and all students in the future graduating classes, we are asking: heavier fines and penalties to stores that sell tobacco to minors.

The way we plan to accomplish our goals is to: Start petitions, do sting operations, testimonies, letter writing.

Thank you for helping us make our state a healthier place for children!!

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. DURBIN].

The question was taken; and the Chairman announced that the yeas appeared to have it.

RECORDED VOTE

Mr. DURBIN. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 210, yeas 212, not voting 12, as follows:

[Roll No. 233]

AYES—210

Ackerman	Gutknecht	Obey
Andrews	Hall (OH)	Olver
Archer	Hansen	Orton
Armey	Harman	Owens
Bachus	Hayworth	Pallone
Baldacci	Hefley	Payne (NJ)
Barrett (WI)	Hinchey	Pelosi
Bartlett	Hobson	Petri
Bass	Hoekstra	Porter
Becerra	Holden	Poshard
Beilenson	Horn	Pryce
Bereuter	Hutchinson	Quinn
Berman	Hyde	Ramstad
Bilbray	Jackson (IL)	Rangel
Blumenauer	Jackson-Lee	Reed
Blute	(TX)	Riggs
Borski	Jacobs	Rivers
Brownback	Johnson (CT)	Roemer
Bryant (TX)	Johnson (SD)	Rohrabacher
Bunn	Johnston	Ros-Lehtinen
Burton	Kanjorski	Roth
Campbell	Kasich	Roukema
Canady	Kelly	Roybal-Allard
Cardin	Kennedy (MA)	Royce
Castle	Kildee	Rush
Christensen	King	Sabo
Coburn	Kleczka	Salmon
Coleman	Klug	Sanders
Collins (IL)	Kolbe	Sawyer
Conyers	LaFalce	Scarborough
Costello	Largent	Schiff
Cox	Lazio	Schroeder
Coyne	Leach	Schumer
Cummings	Levin	Seastrand
Davis	Lewis (GA)	Sensenbrenner
DeFazio	Lipinski	Shadegg
DeLauro	LoBiondo	Shaw
Dellums	Lofgren	Shays
Deutsch	Lowe	Shuster
Dicks	Luther	Smith (NJ)
Doggett	Maloney	Smith (TX)
Dornan	Manzullo	Smith (WA)
Dunn	Markey	Souder
Durbin	Martini	Stark
Ehlers	Mascara	Stokes
Engel	McCarthy	Studds
Ensign	McDermott	Stupak
Eshoo	McHale	Talent
Evans	McHugh	Taylor (MS)
Farr	McInnis	Tiahrt
Fattah	McKeon	Torkildsen
Fawell	McKinney	Torricelli
Fields (LA)	McNulty	Trafficant
Foglietta	Meehan	Upton
Ford	Menendez	Velazquez
Fowler	Metcalf	Vento
Fox	Meyers	Visclosky
Frank (MA)	Mica	Wamp
Franks (NJ)	Millender-	Waters
Furse	McDonald	Waxman
Galleghy	Miller (CA)	Weldon (FL)
Ganske	Miller (FL)	Weldon (PA)
Gejdenson	Minge	White
Gibbons	Moakley	Wilson
Gilchrest	Molinari	Wolf
Gilman	Moran	Woolsey
Goodling	Morella	Yates
Goss	Nadler	Young (FL)
Greene (UT)	Neal	Zeliff
Greenwood	Neumann	Zimmer
Gutierrez	Oberstar	

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Abercrombie	Everett	Moorhead
Allard	Ewing	Murtha
Baesler	Fazio	Myers
Baker (CA)	Fields (TX)	Myrick
Baker (LA)	Filner	Nethercutt
Ballenger	Flake	Ney
Barcia	Flanagan	Norwood
Barr	Foley	Nussle
Barrett (NE)	Forbes	Ortiz
Barton	Franks (CT)	Oxley
Bateman	Frisa	Packard
Bentsen	Frost	Parker
Bevill	Funderburk	Pastor
Bilirakis	Gekas	Paxon
Bishop	Gephardt	Peterson (FL)
Bliley	Geran	Peterson (MN)
Boehlert	Gonzalez	Pickett
Boehner	Goodlatte	Pombo
Bonilla	Gordon	Pomeroy
Bonior	Graham	Portman
Bono	Green (TX)	Quillen
Boucher	Gunderson	Radanovich
Brewster	Hall (TX)	Rahall
Browder	Hamilton	Regula
Brown (CA)	Hancock	Richardson
Brown (FL)	Hastert	Roberts
Bryant (TN)	Hastings (FL)	Rogers
Bunning	Hastings (WA)	Rose
Burr	Hefner	Sanford
Buyer	Heineman	Saxton
Callahan	Heger	Schaefer
Camp	Hillery	Scott
Chabot	Hilliard	Serrano
Chambliss	Hostettler	Scott
Chapman	Houghton	Sisisky
Chenoweth	Hoyer	Skaggs
Chrysler	Hunter	Skeen
Clay	Inglis	Skelton
Clayton	Istook	Slaughter
Clement	Jefferson	Smith (MI)
Clinger	Johnson, E.B.	Solomon
Clyburn	Johnson, Sam	Spence
Coble	Jones	Spratt
Collins (GA)	Kaptur	Stearns
Collins (MI)	Kennedy (RI)	Stenholm
Combest	Kennelly	Stockman
Condit	Kim	Stump
Cooley	Kingston	Tanner
Cramer	Klink	Tauzin
Crane	Knollenberg	Taylor (NC)
Crapo	LaHood	Tejeda
Cremeans	Latham	Thomas
Cubin	LaTourette	Thompson
Cunningham	Laughlin	Thornberry
Danner	Lewis (CA)	Thornton
de la Garza	Lewis (KY)	Thurman
Deal	Lightfoot	Torres
DeLay	Linder	Towns
Diaz-Balart	Livingston	Volkmer
Dickey	Longley	Vucanovich
Dingell	Lucas	Walker
Dixon	Manton	Walsh
Dooley	Martinez	Watt (NC)
Doolittle	Matsui	Watts (OK)
Doyle	McCollum	Weller
Dreier	McCrery	Whitfield
Duncan	McIntosh	Wicker
Edwards	Meek	Williams
Ehrlich	Mink	Wise
Emerson	Mollohan	Wynn
English	Montgomery	Young (AK)

NOT VOTING—12

Brown (OH)	Hayes	McDade
Calvert	Hoke	Payne (VA)
Frelinghuysen	Lantos	Tate
Gillmor	Lincoln	Ward

□ 1819

The Clerk announced the following pairs:

On this vote:

Mr. Brown of Ohio for, with Mr. Payne of Virginia against.

Mr. Tate for, with Mr. Calvert against.

Mr. NEUMANN and Mr. HUTCHINSON changed their vote from "no" to "aye."

Mr. MATSUI changed his vote from "aye" to "no."

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. TATE. Mr. Chairman, on rollcall No. 233, I was inadvertently detained. Had I been present, I would have voted "aye."

PERSONAL EXPLANATION

Mr. WARD. Mr. Chairman, I would like the RECORD to reflect that while I was not recorded as voting on the Durbin amendment that was just considered, I would have voted "no." I was in fact on the floor, working the door, to the extent that I neglected to vote.

Mr. PETERSON of Minnesota. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I call Members' attention to something that we just discovered this afternoon. Those of us that have been working on the Conservation Reserve Program, members of the Sportsmen's Caucus, the gentleman from Texas, Mr. PETE GEREN, the gentleman from Oklahoma, Mr. BREWSTER, and others are concerned about some language. I wanted to enter into a colloquy with the distinguished chairman.

Mr. Chairman, what we are concerned about is some report language that appeared in the bill that affects the conservation part of this bill, but it was not under that part of the report language. It was under the part that had to do with the farm service agencies. What it does is, it requires that they take a look at the criteria for the Conservation Reserve Program in a specific way.

The USDA is right at this time promulgating rules to extend this program. What this report language does is, it provides specific instructions to USDA as to how to proceed. What I am most concerned about is that it says in this report language that the committee directs that all acres are to be rebid and evaluated using the same criteria that was used during the 13th sign-up, a sign-up that was held last fall.

My district in northwestern Minnesota has the ninth most conservation reserve acres in the United States. Last year under the 13th sign-up, only 700 acres in my district qualified. If this language goes forward and if we reauthorize the program using this 13th sign-up, what we are going to do is we are going to eliminate all the big tracts of CRP, we are going to eliminate most of the wildlife benefits that we have seen in the Conservation Reserve Program, and I do not believe that that is what we want to do in this House.

Mr. Chairman, what I am asking is that the gentleman take another look at this and consider the possibility in conference committee of deleting this language. I do not think it makes any sense for us to be going in and prescribing to the Department what is going to be the criteria when they are

in the middle of deciding that. They have not even at this point put forward the proposed rule. There has been no public comment. It just seems to me that we are jumping the gun. I would appreciate it if the gentleman would look at that.

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

Mr. PETERSON of Minnesota. I yield to the gentleman from New Mexico.

Mr. SKEEN. Mr. Chairman, I certainly understand the gentleman's concern and his consternation over finding this kind of language and what it will do. We will be happy to try to address the gentleman's concern when we get to conference with the Senate.

Mr. PETE GEREN of Texas. Mr. Chairman, will the gentleman yield?

Mr. PETERSON of Minnesota. I yield to the gentleman from Texas.

Mr. PETE GEREN of Texas. Mr. Chairman, if I could comment on this briefly as well, I just want to express appreciation as a cochair of the Sportsmen's Caucus for your looking into this matter.

The Conservation Reserve Program is a top priority for the Sportsmen's Caucus, something we have worked on for the last 2 years in this reauthorization. It is so important to the development for habitat for wildlife in our country. It has been tremendously successful as a habitat development program. It is an issue that the caucus has worked on very hard, and we appreciate very much your interest in working to assure that the concerns are addressed.

Mr. SKEEN. I share the gentleman's concern. Certainly those programs are of great value to both of us. We will do our best to get something worked out.

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

Mr. PETERSON of Minnesota. I yield to the gentleman from North Dakota.

Mr. POMEROY. I thank the gentleman for yielding. I would just also ask the chairman to address this in conference committee. This is an extraordinarily consequential policy change to try and be moved forward in report language. That just is not right. It ought to come back to the authorization committee if this is going to be tackled head-on.

I trust that, therefore, this record will establish that there is not clear legislative intent following the report language. I hope we finally get it worked out in a more appropriate way in the conference report.

Mr. SKEEN. Once again, we share the gentleman's concern. We are certainly going to work with him every way we can to come to some resolution of this problem. I will include a table that have the Committee's bill totals,