

Kennedy (MN)	Oxley	Simpson
Kerns	Paul	Skeen
King (NY)	Pence	Skelton
Kingston	Peterson (PA)	Smith (MI)
Kirk	Pickering	Smith (NJ)
Knollenberg	Pitts	Souder
Kolbe	Pombo	Spence
LaHood	Portman	Stearns
Larsen (WA)	Pryce (OH)	Stump
Latham	Quinn	Sununu
LaTourette	Radanovich	Sweeney
Leach	Ramstad	Tancred
Lewis (CA)	Regula	Tauzin
Lewis (KY)	Rehberg	Taylor (NC)
Linder	Reynolds	Terry
LoBiondo	Riley	Thornberry
Lucas (OK)	Rogers (KY)	Thune
Maloney (NY)	Rogers (MI)	Tiahrt
Manzullo	Rohrabacher	Tiberi
McCrery	Roukema	Toomey
McHugh	Royce	Trafficant
McInnis	Ryan (WI)	Upton
McKeon	Ryun (KS)	Vitter
Mica	Saxton	Walden
Miller (FL)	Scarborough	Walsh
Miller, Gary	Schaffer	Wamp
Moran (KS)	Schrock	Watkins (OK)
Morella	Sensenbrenner	Watts (OK)
Myrick	Sessions	Weldon (FL)
Nethercutt	Shadeeg	Weller
Ney	Shaw	Whitfield
Northup	Shays	Wicker
Norwood	Sherwood	Wilson
Nussle	Shimkus	Wolf
Osborne	Shuster	Wu
Ose	Simmons	Young (AK)
Otter		Young (FL)

NAYS—194

Abercrombie	Frost	Meehan
Ackerman	Gephardt	Meeks (NY)
Allen	Gonzalez	Menendez
Andrews	Gordon	Millender-
Baca	Green (TX)	McDonald
Baird	Gutierrez	Miller, George
Baldwin	Hall (OH)	Mink
Barcia	Harman	Mollohan
Barrett	Hastings (FL)	Moore
Becerra	Hilliard	Moran (VA)
Bentsen	Hinojosa	Murtha
Berkley	Hoeffel	Nadler
Berman	Holt	Napolitano
Berry	Honda	Neal
Bishop	Hoolley	Oberstar
Blagojevich	Hoyer	Obey
Blumenauer	Inslee	Oliver
Borski	Israel	Ortiz
Boswell	Jackson (IL)	Pallone
Brady (PA)	Jackson-Lee	Pascarell
Brown (FL)	(TX)	Pastor
Brown (OH)	Jefferson	Payne
Capps	John	Pelosi
Capuano	Johnson, E. B.	Peterson (MN)
Cardin	Jones (OH)	Phelps
Carson (IN)	Kanjorski	Pomeroy
Carson (OK)	Kaptur	Price (NC)
Clay	Kennedy (RI)	Rangel
Clayton	Kildee	Reyes
Clement	Kilpatrick	Rivers
Clyburn	Kind (WI)	Rodriguez
Combest	Klecicka	Roeimer
Condit	Kucinich	Ross
Costello	LaFalce	Rothman
Coyne	Lampson	Roybal-Allard
Cramer	Langevin	Rush
Crowley	Lantos	Sabo
Cummings	Larson (CT)	Sanchez
Davis (CA)	Lee	Sanders
Davis (FL)	Levin	Sandlin
Davis (IL)	Lewis (GA)	Sawyer
DeFazio	Lipinski	Schakowsky
DeGette	Lofgren	Schiff
Delahunt	Lowey	Scott
DeLauro	Lucas (KY)	Serrano
Deutsch	Luther	Sherman
Dicks	Maloney (CT)	Shows
Doggett	Markey	Smith (WA)
Dooley	Mascara	Snyder
Doyle	Matheson	Solis
Edwards	Matsui	Spratt
Engel	McCarthy (MO)	Stark
Eshoo	McCarthy (NY)	Stenholm
Etheridge	McCollum	Strickland
Evans	McDermott	Stupak
Farr	McGovern	Tanner
Fattah	McIntyre	Tauscher
Filner	McKinney	Taylor (MS)
Ford	McNulty	Thompson (CA)
Frank		Thompson (MS)

Thurman	Velazquez	Weiner
Tierney	Visclosky	Wexler
Towns	Waters	Woolsey
Turner	Watson (CA)	Wynn
Udall (CO)	Watt (NC)	
Udall (NM)	Waxman	

NOT VOTING—18

Barton	Houghton	Rahall
Bonior	Largent	Ros-Lehtinen
Boucher	Meek (FL)	Slaughter
Burton	Owens	Smith (TX)
Conyers	Platts	Thomas
Dingell	Putnam	Weldon (PA)

□ 1401

Mrs. TAUSCHER, Ms. ESHOO, Mr. WAXMAN, and Mr. RUSH changed their vote from “yea” to “nay.”

Messrs. MANZULLO, TAYLOR of North Carolina, and BALDACCI changed their vote from “nay” to “yea.”

So the resolution was agreed to.

The result of the vote was announced as above recorded.

The motion to reconsider was laid on the table.

Stated against:

Ms. SLAUGHTER. Madam Speaker, I was unavoidably detained due to emergency dental work during rollcall vote No. 207. Had I been present, I would have voted “no” on rollcall vote No. 207.

SUNDRY MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Ed Thomas, one of his secretaries.

ANNUAL REPORT OF THE CORPORATION FOR PUBLIC BROADCASTING—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore (Mrs. BIGGERT) laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Energy and Commerce:

To the Congress of the United States:

In accordance with the Public Broadcasting Act of 1967, as amended (47 U.S.C. 396(i)), I transmit herewith the Annual Report of the Corporation for Public Broadcasting for Fiscal Year 2000.

GEORGE W. BUSH.
THE WHITE HOUSE, June 28, 2001.

GENERAL LEAVE

Mr. BONILLA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks, and that I may include tabular and extraneous material on H.R. 2330.

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

There was no objection.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2002

The SPEAKER pro tempore (Mrs. BIGGERT). Pursuant to House Resolution 183 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2330.

□ 1402

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2230) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2002, and for other purposes, with Mr. GOODLATTE in the chair.

The Clerk read the title of the bill.

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

Under the rule, the gentleman from Texas (Mr. BONILLA) and the gentlewoman from Ohio (Ms. KAPTUR) each will control 30 minutes.

The Chair recognizes the gentleman from Texas (Mr. BONILLA).

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

Mr. Chairman, we are delighted today to be presenting the Agricultural Appropriations bill for fiscal year 2002. I want to acknowledge the good work of the gentlewoman from Ohio (Ms. KAPTUR), my ranking member, who has contributed to this process over the last few weeks.

It has been a pleasure working with her and all the members of the Subcommittee on Agriculture, Rural Development, Food and Drug Administration and Related Agencies on both sides of the aisle.

I believe we have produced a good bipartisan bill that deals with a lot of the specific issues that Members are concerned about in their districts around the country, ranging from research projects to inspection issues, to FDA issues, to just any possible issue that has come up. There have been 2500-plus requests from individual Members, and we have done our best to accommodate that.

Mr. Chairman, I am just delighted that we have seen good, strong bipartisan support for the effort we have undertaken in putting this bill together.

Mr. Chairman, I am pleased to bring before the House today the fiscal year 2002 appropriations bill for Agriculture, Rural Development, the Food and Drug Administration and Related Agencies.

My goal this year has been to produce a bipartisan bill, and I believe we have done a good job in reaching that goal.

The subcommittee began work on this bill in early March, before the administration produced its budget. We had 6 public hearings

beginning on March 8. The transcripts of these hearings, the administration's official statements, the detailed budget requests, several thousand questions for the record and the statements of members and the public are all contained in six hearing volumes.

In order to expedite action on this bill, we completed our subcommittee's hearings on May 6.

The subcommittee and full committee marked up the bill on June 6 and June 13 respectively.

We have tried very hard to accommodate the requests of Members, and to provide increases for critical programs. We received 2,532 individual requests for specific spending, from almost every Member of the House. Reading all of the mail I received, I can confirm to you that the interest in this bill is completely bipartisan.

This bill does have significant increases over fiscal year 2001 for programs that have always enjoyed strong bipartisan support. Those increases include:

- Agricultural Research Service, \$79 million;
- Animal and Plant Health Inspection Service, \$55 million;
- Food Safety and Inspection Service, \$25 million;
- Farm Service Agency, \$201 million;
- Natural Resources Conservation Service, \$77 million; and
- Food and Drug Administration, \$120 million.

I would like to say that I am very happy that we were able to provide significant increases for the Food and Drug Administration. I think it is vitally important for that agency to have

the resources to perform its public health mission. We are able to provide FDA the following increases above last year's level:

- \$15 million to prevent outbreak of BSE, or Bovine Spongiform Encephalopathy, which is commonly known as "Mad Cow disease";

- \$10 million to increase the number of domestic and foreign inspections, and to expand import coverage in all product areas;

- \$10 million to reduce adverse events related to medical products;

- \$10 million to better protect volunteers who participate in clinical research studies;

- \$9 million to provide a safer food supply;

- \$23 million to complete construction of the replacement facility in Los Angeles that we initiated last year;

And full funding of increased pay costs for existing employees.

I want to stress how important this is. In the past, FDA and all other agencies in this bill were forced to reduce the level of services provided to the public, in order to absorb legislated payroll increases. This year, we want to be sure that does not happen. I am sure that we all want to see that there is no slippage in research, application review, inspections, loan servicing, and all the other payroll-intensive operations that are financed through our bill. We worked hard to find these resources. I am glad we were able to do it, and I am sure the agencies will put them to good use.

Mr. Chairman, we all refer to this bill as an agriculture bill, but it does far more than assisting basic agriculture. It also supports human nutrition, the environment, and food, drug, and medical safety. This is a bill that will deliver benefits to every one of our constitu-

ents every day no matter what kind of district they represent.

I would say to all Members that they can support this bill and tell all of their constituents that they voted to improve their lives while maintaining fiscal responsibility.

The bill is a bipartisan product with a lot of hard work and input from both sides of the aisle. I would like to thank the gentleman from Florida, (Chairman YOUNG), and the gentleman from Wisconsin, (Mr. OBEY), who serve as the distinguished chairman and ranking member of the Committee on Appropriations. I would also like to thank all my subcommittee colleagues: the gentleman from New York (Mr. WALSH); the gentleman from Georgia (Mr. KINGSTON); the gentleman from Washington (Mr. NETHERCUTT); the gentleman from Iowa (Mr. LATHAM); the gentlewoman from Missouri (Mrs. EMERSON); the gentleman from Virginia (Mr. GOODE); the gentleman from Illinois (Mr. LAHOOD); the gentlewoman from Connecticut (Ms. DELAURO); the gentleman from New York (Mr. HINCHEY) the gentleman from Florida (Mr. BOYD).

In particular, I want to thank the gentlewoman from Ohio (Ms. KAPTUR), the distinguished ranking member of the subcommittee, for all her good work on this bill this year and the years in the past.

Mr. Chairman, I would like to include at this point in the RECORD tabular material relating to the bill.

Mr. Chairman, I include the following Comparative Statement of Budget Authority for the RECORD:

**AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES
APPROPRIATIONS BILL, 2002 (H.R. 2330)
(Amounts in thousands)**

	FY 2001 Enacted	FY 2002 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I - AGRICULTURAL PROGRAMS					
Production, Processing, and Marketing					
Office of the Secretary	2,908	2,992	3,015	+ 107	+ 23
Executive Operations:					
Chief Economist	7,446	7,648	7,704	+258	+ 56
National Appeals Division	12,394	12,766	12,869	+475	+ 103
Office of Budget and Program Analysis	6,750	6,978	7,041	+291	+ 63
Office of the Chief Information Officer	10,029	10,261	10,325	+296	+ 64
Common computing environment	39,912	59,369	59,369	+ 19,457	.....
Office of the Chief Financial Officer	5,160	5,335	5,384	+224	+ 49
Total, Executive Operations	81,691	102,357	102,692	+21,001	+335
Office of the Assistant Secretary for Administration	628	647	652	+24	+ 5
Agriculture buildings and facilities and rental payments	182,345	187,581	187,647	+ 5,302	+ 66
Payments to GSA	(125,266)	(130,266)	(130,266)	(+ 5,000)	.....
Building operations and maintenance	(31,136)	(31,372)	(31,438)	(+ 302)	(+ 66)
Repairs, renovations, and construction	(25,943)	(25,943)	(25,943)	.....	.....
Hazardous materials management	15,665	15,665	15,665	.....	.....
Departmental administration	35,931	37,079	37,398	+ 1,467	+319
Outreach for socially disadvantaged farmers	2,993	2,993	2,993	.....	.....
Office of the Assistant Secretary for Congressional Relations	3,560	3,684	3,718	+ 158	+ 34
Office of Communications	8,604	8,894	8,975	+371	+ 81
Office of the Inspector General	68,715	70,839	71,429	+2,714	+590
Office of the General Counsel	31,012	32,627	32,937	+ 1,925	+310
Office of the Under Secretary for Research, Education and Economics	555	573	578	+23	+ 5
Economic Research Service	66,891	67,200	67,620	+729	+420
National Agricultural Statistics Service	100,550	113,786	114,546	+ 13,996	+760
Census of Agriculture	(14,967)	(25,350)	(25,456)	(+ 10,489)	(+ 106)
Agricultural Research Service	896,835	915,591	971,365	+74,530	+55,774
Buildings and facilities	74,037	30,462	78,862	+ 4,825	+48,400
Total, Agricultural Research Service	970,872	946,053	1,050,227	+79,355	+ 104,174
Cooperative State Research, Education, and Extension Service:					
Research and education activities	505,079	407,319	507,452	+ 2,373	+ 100,133
Native American Institutions Endowment Fund	(7,100)	(7,100)	(7,100)	.....	.....
Extension activities	432,475	413,404	436,029	+ 3,554	+22,625
Integrated activities	41,849	41,849	43,355	+ 1,506	+ 1,506
Total, Cooperative State Research, Education, and Extension Service	979,403	862,572	986,836	+ 7,433	+ 124,264
Office of the Under Secretary for Marketing and Regulatory Programs	634	654	660	+26	+ 6
Animal and Plant Health Inspection Service:					
Salaries and expenses	529,397	702,925	587,386	+57,989	-115,539
AQI user fees	(84,813)	(84,813)	(84,813)	.....	.....
Buildings and facilities	9,848	5,189	7,189	-2,659	+2,000
Total, Animal and Plant Health Inspection Service	539,245	708,114	594,575	+55,330	-113,539
Agricultural Marketing Service:					
Marketing Services	65,191	71,430	71,774	+ 6,583	+344
Standardization user fees	(4,000)	(5,000)	(5,000)	(+ 1,000)	.....
(Limitation on administrative expenses, from fees collected)	(60,596)	(60,596)	(60,596)	.....	.....
Funds for strengthening markets, income, and supply (transfer from section 32)	13,438	13,874	13,995	+ 557	+ 121
Payments to states and possessions	1,347	1,347	1,347	.....	.....
Total, Agricultural Marketing Service	79,976	86,651	87,116	+ 7,140	+465
Grain Inspection, Packers and Stockyards Administration:					
Salaries and expenses	31,350	32,907	33,117	+ 1,767	+210
Inspection and weighing services	(42,463)	(42,463)	(42,463)	.....	.....
Office of the Under Secretary for Food Safety	459	476	481	+22	+ 5
Food Safety and Inspection Service	695,171	715,542	720,652	+25,481	+5,110
Lab accreditation fees 1/	(998)	(1,000)	(1,000)	(+2)	.....
Total, Food Safety and Inspection Service	695,171	715,542	720,652	+25,481	+5,110
Total, Production, Processing, and Marketing	3,899,158	3,999,886	4,123,529	+224,371	+ 123,643
Farm Assistance Programs					
Office of the Under Secretary for Farm and Foreign Agricultural Services	588	606	611	+ 23	+ 5
Farm Service Agency:					
Salaries and expenses	826,563	939,030	945,993	+ 119,430	+ 6,963
(Transfer from export loans)	(588)	(790)	(797)	(+ 209)	(+ 7)
(Transfer from P.L. 480)	(813)	(972)	(980)	(+ 167)	(+ 8)
(Transfer from ACIF)	(264,731)	(272,595)	(274,769)	(+ 10,038)	(+ 2,174)
Subtotal, Transfers from program accounts	(266,132)	(274,357)	(276,546)	(+ 10,414)	(+ 2,189)
Total, salaries and expenses	(1,092,695)	(1,213,387)	(1,222,539)	(+ 129,844)	(+ 9,152)
State mediation grants	2,993	2,993	2,993	.....	.....
Dairy indemnity program	450	100	100	-350	.....
Subtotal, Farm Service Agency	830,006	942,123	949,086	+ 119,080	+ 6,963

**AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES
APPROPRIATIONS BILL, 2002 (H.R. 2330) — Continued
(Amounts in thousands)**

	FY 2001 Enacted	FY 2002 Request	Bill	Bill vs. Enacted	Bill vs. Request
Agricultural Credit Insurance Fund Program Account:					
Loan authorizations:					
Farm ownership loans:					
Direct.....	(127,722)	(128,000)	(128,000)	(+278)	
Guaranteed.....	(868,086)	(1,000,000)	(1,000,000)	(+131,914)	
Subtotal	(995,808)	(1,128,000)	(1,128,000)	(+132,192)	
Farm operating loans:					
Direct.....	(522,891)	(600,000)	(600,000)	(+77,109)	
Unsubsidized guaranteed.....	(1,075,468)	(1,500,000)	(1,500,000)	(+424,532)	
Subsidized guaranteed.....	(369,100)	(500,000)	(500,000)	(+130,900)	
Subtotal	(1,967,459)	(2,600,000)	(2,600,000)	(+632,541)	
Indian tribe land acquisition loans.....	(2,002)	(2,000)	(2,000)	(-2)	
Emergency disaster loans.....	(24,847)	(25,000)	(25,000)	(+153)	
Boll weevil eradication loans.....	(100,000)	(100,000)	(100,000)		
Total, Loan authorizations.....	(3,090,216)	(3,855,000)	(3,855,000)	(+764,784)	
Loan subsidies:					
Farm ownership loans:					
Direct.....	13,756	3,366	3,366	-10,390	
Guaranteed.....	4,427	4,500	4,500	+73	
Subtotal	18,183	7,866	7,866	-10,317	
Farm operating loans:					
Direct.....	47,251	53,580	53,580	+6,329	
Unsubsidized guaranteed.....	14,738	52,650	52,650	+37,912	
Subsidized guaranteed.....	30,119	67,800	67,800	+37,681	
Subtotal	92,108	174,030	174,030	+81,922	
Indian tribe land acquisition.....	322	118	118	-204	
Emergency disaster loans.....	6,120	3,363	3,363	-2,757	
Total, Loan subsidies.....	116,733	185,377	185,377	+68,644	
ACIF expenses:					
Salaries and expense (transfer to FSA).....	264,731	272,595	274,769	+10,038	+2,174
Administrative expenses.....	4,130	8,000	8,000	+3,870	
Total, ACIF expenses.....	268,861	280,595	282,769	+13,908	+2,174
Total, Agricultural Credit Insurance Fund.....	385,594	465,972	468,146	+82,552	+2,174
(Loan authorization)	(3,090,216)	(3,855,000)	(3,855,000)	(+764,784)	
Total, Farm Service Agency.....	1,215,600	1,408,095	1,417,232	+201,632	+9,137
Risk Management Agency	65,453	74,752	75,142	+9,689	+390
Total, Farm Assistance Programs.....	1,281,641	1,483,453	1,492,985	+211,344	+9,532
Corporations					
Federal Crop Insurance Corporation:					
Federal crop insurance corporation fund	2,804,860	3,037,000	3,037,000	+232,340	
Commodity Credit Corporation Fund:					
Reimbursement for net realized losses.....	25,264,441	23,116,000	23,116,000	-2,148,441	
Operations and maintenance for hazardous waste management (limitation on administrative expenses).....	(5,000)	(5,000)	(5,000)		
Total, Corporations.....	28,069,101	26,153,000	26,153,000	-1,916,101	
Total, title I, Agricultural Programs	33,249,900	31,636,339	31,769,514	-1,480,386	+133,175
(By transfer)	(266,132)	(274,357)	(276,546)	(+10,414)	(+2,189)
(Loan authorization)	(3,090,216)	(3,855,000)	(3,855,000)	(+764,784)	
(Limitation on administrative expenses).....	(108,059)	(108,059)	(108,059)		
TITLE II - CONSERVATION PROGRAMS					
Office of the Under Secretary for Natural Resources and Environment.....	709	730	736	+27	+6
Natural Resources Conservation Service:					
Conservation operations.....	712,545	773,454	782,762	+70,217	+9,308
Watershed surveys and planning.....	10,844	10,960	11,030	+186	+70
Watershed and flood prevention operations.....	99,224	100,413	105,743	+6,519	+5,330
Resource conservation and development	41,923	43,048	48,361	+6,438	+5,313
Forestry incentives program.....	6,311			-6,311	
Agricultural Conservation Program (rescission).....			-45,000	-45,000	-45,000
Total, Natural Resources Conservation Service	870,847	927,875	902,896	+32,049	-24,979
Total, title II, Conservation Programs	871,556	928,605	903,632	+32,076	-24,973
TITLE III - RURAL DEVELOPMENT PROGRAMS					
Office of the Under Secretary for Rural Development.....	604	623	628	+24	+5

**AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES
APPROPRIATIONS BILL, 2002 (H.R. 2330)—Continued
(Amounts in thousands)**

	FY 2001 Enacted	FY 2002 Request	Bill	Bill vs. Enacted	Bill vs. Request
Rural Development:					
Rural community advancement program	760,864	692,125	767,465	+ 6,601	+ 75,340
RD expenses:					
Salaries and expenses	130,084	133,722	134,733	+ 4,649	+ 1,011
(Transfer from RHIF)	(408,333)	(419,741)	(422,910)	(+ 14,577)	(+ 3,169)
(Transfer from RDLFP)	(3,632)	(3,733)	(3,761)	(+ 129)	(+ 28)
(Transfer from RETLP)	(34,640)	(35,604)	(36,322)	(+ 1,682)	(+ 718)
(Transfer from RTB)	(2,993)	(3,082)	(3,107)	(+ 114)	(+ 25)
Total, RD expenses	(579,682)	(595,882)	(600,833)	(+ 21,151)	(+ 4,951)
Total, Rural Development	890,948	825,847	902,198	+ 11,250	+ 76,351
Rural Housing Service:					
Rural Housing Insurance Fund Program Account:					
Loan authorizations:					
Single family (sec. 502)	(1,071,628)	(1,064,650)	(1,064,650)	(-6,978)	.....
Unsubsidized guaranteed	(3,136,429)	(3,137,968)	(3,137,968)	(+ 1,539)	.....
Subtotal, Single family	(4,208,057)	(4,202,618)	(4,202,618)	(-5,439)	.....
Housing repair (sec. 504)	(32,324)	(32,324)	(32,324)	.....	.....
Rental housing (sec. 515)	(114,070)	(114,068)	(114,068)	(-2)	.....
Site loans (sec. 524)	(5,152)	(5,090)	(5,090)	(-62)	.....
Multi-family housing guarantees (sec. 538)	(99,780)	(99,770)	(99,770)	(-10)	.....
Multi-family housing credit sales	(1,779)	(1,778)	(1,778)	(-1)	.....
Single family housing credit sales	(10,000)	(10,000)	(10,000)	.....	.....
Self-help housing land development fund	(4,998)	(5,000)	(5,000)	(+ 2)	.....
Total, Loan authorizations	(4,476,160)	(4,470,648)	(4,470,648)	(-5,512)	.....
Loan subsidies:					
Single family (sec. 502)	176,371	140,108	140,108	-36,263	.....
Unsubsidized guaranteed	7,384	40,166	40,166	+ 32,782	.....
Subtotal, Single family	183,755	180,274	180,274	-3,481	.....
Housing repair (sec. 504)	11,456	10,386	10,386	-1,070	.....
Rental housing (sec. 515)	56,202	48,274	48,274	-7,928	.....
Site loans (sec. 524) .....	.....	28	28	+ 28	.....
Multi-family housing guarantees (sec. 538)	1,517	3,921	3,921	+ 2,404	.....
Multi-family housing credit sales	872	750	750	-122	.....
Self-help housing land development fund	278	254	254	-24	.....
Total, Loan subsidies	254,080	243,887	243,887	-10,193	.....
RHIF administrative expenses (transfer to RD)	408,333	419,741	422,910	+ 14,577	+ 3,169
Rental assistance program:					
(Sec. 521)	672,604	687,604	687,604	+ 15,000	.....
(Sec. 502(c)(5)(D))	5,900	5,900	5,900	.....	.....
Total, Rental assistance program	678,504	693,504	693,504	+ 15,000	.....
Total, Rural Housing Insurance Fund	1,340,917	1,357,132	1,360,301	+ 19,384	+ 3,169
(Loan authorization)	(4,476,160)	(4,470,648)	(4,470,648)	(-5,512)	.....
Mutual and self-help housing grants	33,925	33,925	33,925	.....	.....
Rural housing assistance grants	43,903	38,914	38,914	-4,989	.....
Farm labor program account	29,934	28,431	31,431	+ 1,497	+ 3,000
Subtotal, grants and payments	107,762	101,270	104,270	-3,492	+ 3,000
Total, Rural Housing Service	1,448,679	1,458,402	1,464,571	+ 15,892	+ 6,169
(Loan authorization)	(4,476,160)	(4,470,648)	(4,470,648)	(-5,512)	.....
Rural Business-Cooperative Service:					
Rural Development Loan Fund Program Account:					
(Loan authorization)	(38,172)	(38,171)	(38,171)	(-1)	.....
Loan subsidy	19,433	16,494	16,494	-2,939	.....
Administrative expenses (transfer to RD)	3,632	3,733	3,761	+ 129	+ 28
Total, Rural Development Loan Fund	23,065	20,227	20,255	-2,810	+ 28
Rural Economic Development Loans Program Account:					
(Loan authorization)	(14,969)	(14,966)	(14,966)	(-3)	.....
Direct subsidy	3,902	3,616	3,616	-286	.....
Rural cooperative development grants	6,486	6,486	7,500	+ 1,014	+ 1,014
Rural empowerment zones and enterprise community grants .....	.....	14,967	14,967	+ 14,967	.....
Total, Rural Business-Cooperative Service	33,453	45,296	46,338	+ 12,885	+ 1,042
(Loan authorization)	(53,141)	(53,137)	(53,137)	(-4)	.....

**AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES
APPROPRIATIONS BILL, 2002 (H.R. 2330)—Continued
(Amounts in thousands)**

	FY 2001 Enacted	FY 2002 Request	Bill	Bill vs. Enacted	Bill vs. Request
Rural Utilities Service:					
Rural Electrification and Telecommunications Loans Program Account:					
Loan authorizations:					
Electric:					
Direct, 5%.....	(121,128)	(121,107)	(121,107)	(-21)	.....
Direct, Municipal rate.....	(294,358)	(294,358)	(794,358)	(+ 500,000)	(+ 500,000)
Direct, FFB.....	(1,600,000)	(1,600,000)	(2,600,000)	(+ 1,000,000)	(+ 1,000,000)
Direct, Treasury rate.....	(500,000)	(500,000)	(500,000)	.....	.....
Guaranteed electric.....	(100,000)	(100,000)	(100,000)	.....	.....
Subtotal, Electric.....	(2,615,486)	(2,615,465)	(4,115,465)	(+ 1,499,979)	(+ 1,500,000)
Telecommunications:					
Direct, 5%.....	(74,835)	(74,827)	(74,827)	(-8)	.....
Direct, Treasury rate.....	(300,000)	(300,000)	(300,000)	.....	.....
Direct, FFB.....	(120,000)	(120,000)	(120,000)	.....	.....
Subtotal, Telecommunications.....	(494,835)	(494,827)	(494,827)	(-8)	.....
Total, Loan authorizations.....	(3,110,321)	(3,110,292)	(4,610,292)	(+ 1,499,971)	(+ 1,500,000)
Loan subsidies:					
Electric:					
Direct, 5%.....	12,064	3,609	3,609	-8,455	.....
Guaranteed electric.....	10	80	80	+70	.....
Direct, Municipal rate.....	20,458	.....	.....	-20,458	.....
Subtotal, Electric.....	32,532	3,689	3,689	-28,843	.....
Telecommunications:					
Direct, 5%.....	7,753	1,736	1,736	-6,017	.....
Direct, Treasury rate.....	.....	300	300	+300	.....
Subtotal, Telecommunications.....	7,753	2,036	2,036	-5,717	.....
Total, Loan subsidies.....	40,285	5,725	5,725	-34,560	.....
RETLP administrative expenses (transfer to RD).....	34,640	35,604	36,322	+ 1,682	+ 718
Total, Rural Electrification and Telecommunications Loans Program Account.....	74,925	41,329	42,047	-32,878	+ 718
(Loan authorization).....	(3,110,321)	(3,110,292)	(4,610,292)	(+ 1,499,971)	(+ 1,500,000)
Rural Telephone Bank Program Account:					
(Loan authorization).....	(174,615)	.....	(174,615)	.....	(+ 174,615)
Direct loan subsidy.....	2,584	.....	2,584	.....	+ 2,584
RTB administrative expenses (transfer to RD).....	2,993	3,082	3,107	+ 114	+ 25
Total, Rural Telephone Bank Program Account.....	5,577	3,082	5,691	+ 114	+ 2,609
High energy costs grants (by transfer).....	.....	(24,000)	(24,000)	(+ 24,000)	.....
Distance learning and telemedicine program:					
(Loan authorization).....	(400,000)	(300,000)	(300,000)	(-100,000)	.....
(Loan authorization) (proposal).....	.....	(100,000)	(100,000)	(+ 100,000)	.....
Grants.....	26,941	26,941	26,941	.....	.....
Total, Rural Utilities Service.....	107,443	71,352	74,679	-32,764	+ 3,327
(Loan authorization).....	(3,684,936)	(3,510,292)	(5,184,907)	(+ 1,499,971)	(+ 1,674,615)
Total, title III, Rural Economic and Community Development Programs.....	2,481,127	2,401,520	2,488,414	+ 7,287	+ 86,894
(By transfer).....	(449,598)	(486,160)	(490,100)	(+ 40,502)	(+ 3,940)
(Loan authorization).....	(8,214,237)	(8,034,077)	(9,708,692)	(+ 1,494,455)	(+ 1,674,615)
TITLE IV - DOMESTIC FOOD PROGRAMS					
Office of the Under Secretary for Food, Nutrition and Consumer Services.....	569	587	592	+ 23	+ 5
Food and Nutrition Service:					
Child nutrition programs:					
Child nutrition programs.....	4,407,445	4,729,490	4,746,038	+ 338,593	+ 16,548
Transfer from section 32.....	5,127,579	5,357,256	5,340,708	+ 213,129	-16,548
Discretionary spending.....	6,486	2,000	2,000	-4,486	.....
Total, Child nutrition programs.....	9,541,510	10,088,746	10,088,746	+ 547,236	.....
Special supplemental nutrition program for women, infants, and children (WIC).....	4,043,086	4,137,086	4,137,086	+ 94,000	.....
Food stamp program:					
Expenses.....	18,618,228	19,556,436	19,556,436	+ 938,208	.....
Reserve.....	100,000	1,000,000	1,000,000	+ 900,000	.....
Nutrition assistance for Puerto Rico.....	1,301,000	1,335,550	1,335,550	+ 34,550	.....
The emergency food assistance program.....	100,000	100,000	100,000	.....	.....
Total, Food stamp program.....	20,119,228	21,991,986	21,991,986	+ 1,872,758	.....
Commodity assistance program.....	139,991	139,991	152,813	+ 12,822	+ 12,822
Rescission.....	.....	-5,300	.....	.....	+ 5,300
Food donations programs:					
Needy family program.....	1,081	1,081	1,081	.....	.....
Elderly feeding program.....	149,670	149,668	149,668	-2	.....
Total, Food donations programs.....	150,751	150,749	150,749	-2	.....

**AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES
APPROPRIATIONS BILL, 2002 (H.R. 2330) — Continued
(Amounts in thousands)**

	FY 2001 Enacted	FY 2002 Request	Bill	Bill vs. Enacted	Bill vs. Request
Food program administration	116,550	125,546	126,656	+ 10,106	+ 1,110
Total, Food and Nutrition Service.....	34,111,116	36,628,804	36,648,036	+2,536,920	+19,232
Total, title IV, Domestic Food Programs.....	34,111,685	36,629,391	36,648,628	+2,536,943	+19,237
TITLE V - FOREIGN ASSISTANCE AND RELATED PROGRAMS					
Foreign Agricultural Service:					
Salaries and expenses, direct appropriation	115,170	121,563	122,631	+7,461	+1,068
(Transfer from export loans)	(3,224)	(3,224)	(3,224)		
(Transfer from P.L. 480)	(1,033)	(1,033)	(1,033)		
Total, Program level.....	(119,427)	(125,820)	(126,888)	(+7,461)	(+1,068)
Public Law 480 Program and Grant Accounts:					
Program account:					
Loan authorization, direct.....	(159,327)	(139,399)	(150,000)	(-9,327)	(+10,601)
Loan subsidy	113,935	113,935	122,600	+8,665	+8,665
Ocean freight differential	20,277	20,277	20,277		
Title II - Commodities for disposition abroad:					
Program level.....	(835,159)	(835,159)	(835,159)		
Appropriation	835,159	835,159	835,159		
Salaries and expenses:					
Foreign Agricultural Service (transfer to FAS)	1,033	1,033	1,033		
Farm Service Agency (transfer to FSA)	813	972	980	+167	+8
Subtotal	1,846	2,005	2,013	+167	+8
Total, Public Law 480:					
Program level.....	(835,159)	(835,159)	(835,159)		
Appropriation.....	971,217	971,376	980,049	+8,832	+8,673
CCC Export Loans Program Account (administrative expenses):					
Salaries and expenses (Export Loans):					
General Sales Manager (transfer to FAS)	3,224	3,224	3,224		
Farm Service Agency (transfer to FSA)	588	790	797	+209	+7
Total, CCC Export Loans Program Account	3,812	4,014	4,021	+209	+7
Total, title V, Foreign Assistance and Related Programs	1,090,199	1,096,953	1,106,701	+16,502	+9,748
(By transfer)	(4,257)	(4,257)	(4,257)		
TITLE VI - FOOD AND DRUG ADMINISTRATION AND RELATED AGENCIES					
DEPARTMENT OF HEALTH AND HUMAN SERVICES					
Food and Drug Administration					
Salaries and expenses, direct appropriation	1,066,173	1,173,673	1,180,623	+114,450	+6,950
Prescription drug user fee act	(149,273)	(161,716)	(161,716)	(+12,443)	
Subtotal	(1,215,446)	(1,335,389)	(1,342,339)	(+126,893)	(+6,950)
Export and certification	(5,992)	(6,181)	(6,181)	(+189)	
Payments to GSA	(104,736)	(105,116)	(105,116)	(+380)	
Drug reimportation		2,950	2,950	+2,950	
Buildings and facilities	31,281	34,281	34,281	+3,000	
Total, Food and Drug Administration.....	1,097,454	1,210,904	1,217,854	+120,400	+6,950
INDEPENDENT AGENCIES					
Commodity Futures Trading Commission.....	67,850	70,400	70,700	+2,850	+300
Farm Credit Administration (limitation on administrative expenses)	(36,719)	(36,700)	(36,700)	(-19)	
Total, title VI, Related Agencies and Food and Drug Administration	1,165,304	1,281,304	1,288,554	+123,250	+7,250
TITLE VII - GENERAL PROVISIONS					
Hunger fellowships	1,996	1,996	4,000	+2,004	+2,004
National Sheep Industry Improvement Center revolving fund	5,000		1,000	-4,000	+1,000
FDA drug reimportation.....	22,949			-22,949	
CCC Apple market loss (contingent emergency appropriations)			150,000	+150,000	+150,000
Total, title VII, General provisions	29,945	1,996	155,000	+125,055	+153,004
TITLE VIII - FY 2001					
NATURAL DISASTER ASSISTANCE AND OTHER					
EMERGENCY APPROPRIATIONS					
CHAPTER 1					
DEPARTMENT OF AGRICULTURE					
Office of the Chief Information Officer:					
Common computing environment (contingent emergency appropriations)...	19,457			-19,457	
Departmental administration (contingent emergency appropriations)	200			-200	

**AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES
APPROPRIATIONS BILL, 2002 (H.R. 2330)—Continued
(Amounts in thousands)**

	FY 2001 Enacted	FY 2002 Request	Bill	Bill vs. Enacted	Bill vs. Request
Farm Service Agency					
Salaries and expenses (contingent emergency appropriations).....	49,890			-49,890	
Emergency conservation program (contingent emergency appropriations)	79,824			-79,824	
Federal Crop Insurance Corporation					
Federal crop insurance corporation fund (emergency appropriations)	12,971			-12,971	
Natural Resources Conservation Service					
Watershed and flood prevention operations (contingent emergency appropriations)	109,758			-109,758	
Rural Development					
Rural community advancement program (contingent emergency appropriations)	199,560			-199,560	
Total, Department of Agriculture	471,660			-471,660	
General Provisions					
Conservation technical assistance (contingent emergency appropriations)	34,923			-34,923	
CCC Disease loss compensation (contingent emergency appropriations)	19,000			-19,000	
Dairy assistance (contingent emergency appropriations)	473,000			-473,000	
CCC Livestock assistance program (contingent emergency appropriations)	488,922			-488,922	
WRP Additional acreage enrollments (contingent emergency appropriations)...	117,000			-117,000	
CCC Sheep loss assistance (contingent emergency appropriations)	2,395			-2,395	
CCC Citrus canker compensation (contingent emergency appropriations)	57,872			-57,872	
CCC Apple/potatoes market loss and quality (contingent emergency appropriations)	137,696			-137,696	
CCC Honey assistance (contingent emergency appropriations)	20,000			-20,000	
CCC Livestock indemnity program (contingent emergency appropriations)	9,978			-9,978	
CCC Wool/mohair assistance (contingent emergency appropriations)	19,956			-19,956	
CCC Crop loss disaster assistance (contingent emergency appropriations)	1,622,000			-1,622,000	
CCC Cranberry assistance (contingent emergency appropriations)	19,956			-19,956	
Shared appreciation loan arrangements (contingent emergency appropriations)	2,000			-2,000	
SC grain dealer's guarantee fund (contingent emergency appropriations)	2,495			-2,495	
Puerto Rico food stamp block grant	-5,000			+5,000	
Hawaii sugar transportation cost assistance (contingent emergency appropriations)	7,184			-7,184	
Rural development cooperative grants (contingent emergency appropriations)	9,978			-9,978	
Business and industry loans:					
(Loan authorization)	(1,160,232)			(-1,160,232)	
Loan subsidy (contingent emergency appropriations)	9,978			-9,978	
CCC Tobacco quota compensation (contingent emergency appropriations)	3,000			-3,000	
CCC Cooperative assistance (contingent emergency appropriations)	19,956			-19,956	
CCC Burley tobacco (contingent emergency appropriations)	50,000			-50,000	
CCC LDP delinquent borrower (contingent emergency appropriations)	5,000			-5,000	
Food stamp excess shelter allowance (contingent emergency appropriations) ..	15,000			-15,000	
Food stamp vehicle allowance (contingent emergency appropriations)	25,000			-25,000	
Total, General Provisions	3,167,289			-3,167,289	
Total, title VIII, FY 2001	3,638,949			-3,638,949	
TITLE X - ANTI-DUMPING					
Anti-dumping	39,912			-39,912	
Grand total:					
New budget (obligational) authority	76,678,577	73,976,108	74,360,443	-2,318,134	+384,335
Appropriations	(73,034,628)	(73,981,408)	(74,210,443)	(+1,175,815)	(+229,035)
Rescission		(-5,300)			(+5,300)
Emergency appropriations	(12,971)			(-12,971)	
Contingent emergency appropriations	(3,630,978)		(150,000)	(-3,480,978)	(+150,000)
(By transfer)	(719,987)	(764,774)	(770,903)	(+50,916)	(+6,129)
(Loan authorization)	(11,463,780)	(12,028,476)	(13,713,692)	(+2,249,912)	(+1,685,216)
(Limitation on administrative expenses)	(144,778)	(144,759)	(144,759)	-	
RECAPITULATION					
Title I - Agricultural programs	33,249,900	31,636,339	31,769,514	-1,480,386	+133,175
Title II - Conservation programs	871,556	928,605	903,632	+32,076	-24,973
Title III - Rural economic and community development programs	2,481,127	2,401,520	2,488,414	+7,287	+86,894
Title IV - Domestic food programs	34,111,685	36,629,391	36,648,628	+2,536,943	+19,237
Title V - Foreign assistance and related programs	1,090,199	1,096,953	1,106,701	+16,502	+9,748
Title VI - Related agencies and Food and Drug Administration	1,165,304	1,281,304	1,288,554	+123,250	+7,250
Title VII - General provisions	29,945	1,996	155,000	+125,055	+153,004
Title VIII, FY 2001	3,638,949			-3,638,949	
Title X, Anti-dumping	39,912			-39,912	
Total, new budget (obligational) authority	76,678,577	73,976,108	74,360,443	-2,318,134	+384,335

1/ In addition to appropriation.

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

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

Mr. Chairman, let me rise to say that this is a good bill that, in fact, is getting better at every stage of the legislative process.

The gentleman from Texas (Mr. BONILLA), chairman of the Subcommittee, and our committee staff have worked to draft a fair bill within tight budget allocations; but the underlying amounts in different sections of the bill are far from what is necessary, given many of the needs of rural America and our food assistance programs.

This is the first bill managed by our new chairman, the gentleman from Texas (Mr. BONILLA). Let me congratulate him on his maiden voyage as chairman of the Subcommittee on Agriculture, Rural Development, Food and Drug Administration and Related Agencies and thank the gentleman for his cooperation throughout.

What we all learn together, hopefully, will put us in a position to continue to work towards the best possible bill for America's future.

I want to thank the subcommittee staff: Hank Moore; Martin Delgado; Maureen Holohan; Joanne Orndorff; Jim Richards; Roger Szemraj; and our detailee, Leslie Barrack.

I also want to thank our new minority staff member, Martha Foley, very much for her hard work.

Mr. Chairman, let us put this bill in perspective. To begin with, overall we have a spending level for 2002 of \$74.360 billion of which \$15.669 billion is discretionary spending, plus an additional \$150 million for the Hinchey apple disaster provisions.

Several times today already, each of us have been touched by agriculture and other agencies in this bill: the food that we have eaten; some of the fabrics we are wearing; perhaps, even the blended fuels that were used in the vehicles that brought us to work; or the medications or vitamins that we take on any day.

We have been benefited by the research in this bill, by education and training, by inspection services that are operating at red alert levels now to keep hoof and mouth disease and mad cow disease out of this country, and by marketing services that take the bounty of this land around the world.

Truly, this is the committee that is concerned about food, fiber, the fuels of the future, and the condition of our forests.

Mr. Chairman, nearly 80 percent of the spending in this bill is mandatory spending, including our farm price support programs. Only one-fifth of the bill, 20 percent, is discretionary. Half of the spending in the bill is for food programs which keep America's people the best-fed people on Earth.

The bill, as reported, is about \$260 million in discretionary spending above the President's request, but a lit-

tle more than \$3 billion below this year's level due to the absence of natural disaster and other emergency farm provisions.

Earlier, during the discussion on the rule, we discussed several improvements that should be included in this bill that amendments could make possible, but amendments that were denied in the Committee on Rules.

There was an amendment offered by the gentlewoman from Connecticut (Ms. DELAURO) that would recognize that we need more money for the WIC program, the Women, Infants, and Children feeding program, due to the fact that participation is running 80,000 people more per month than the administration had expected predominantly due to higher unemployment levels.

The amendment of the gentleman from New York (Mr. HINCHEY) and others makes room for helping small specialty crop producers who are facing hard times. He has been successful in dealing with one sector, the apple sector, in this bill.

My own effort adopted by the full committee insists that the integrity of producer votes is protected in the pork checkoff program. It directs funds be spent only on those programs that the producers have approved and this directive has been included in the final bill.

Mr. Chairman, there are also other elements that we still need to work through as we amend here on the floor and then as we move to the Senate: one is the Global Food for Education program, which the gentleman from Massachusetts (Mr. MCGOVERN) and the gentlewoman from Missouri (Mrs. EMERSON) have championed here in the House; improved food safety and increased food inspection need more attention; also new biofuels funding, including ethanol, biodiesel, and biomass-related fuel production to help move America toward energy independence.

There are six titles in this bill, and I just want to highlight a couple major points in each of those.

In Title I, Agricultural Programs, we have been able to take the first steps to fund relocation of some of our important laboratories in Arizona, as well as consolidating and modernizing our key agricultural research facilities in Ames, Iowa.

We are just so happy to be able to make progress there, the most important labs in our country that protect the entire livestock production in our Nation, as well as maintain the best veterinary service that the world knows.

In the APHIS, Animal Planned Health Inspection Service, we have been able to improve by \$2 million and increase the buildings account for a facility at the Miami International Airport.

In our conservation programs, the NRCS has scored below the administration request by \$25 million.

In rural development in title III, the bill increases these important pro-

grams by \$87 million over the research request, in the important account of water and wastewater disposal grants funding is included at a level of \$75 million over the request.

There is a million dollars included for rural cooperative development grants beyond the request, and \$3 million to restore the rural telephone loan program that the administration proposed to end.

In Title IV, Domestic Food Programs, the \$18 million in increases above the request will help us to expand the TEFAP program, Temporary Emergency Food Assistance Program, and the Commodity Supplemental Food Program, looking at five new States, Wisconsin, Washington, Pennsylvania, South Dakota, and Missouri.

I mentioned the sufficiency of the WIC program level a little bit earlier. We have to keep our eye on that particularly as we move towards conference with the Senate.

In title V, we have provided a level of 9 million additional dollars in the PL480 title I program above the request level.

In title VI in the Food and Drug Administration, we have provided more than \$100 million over the 2001 enacted level. In addition, the bill includes a contingent appropriation of \$2.9 million for continued funding of last year's prescription drug importation provision.

Finally, I mentioned the pork check-off and the apple programs as being included in the final bill that is coming to the floor.

Overall, this bill is a good one and is getting better. It should be one that truly embraces the needs and the challenges of the 21st century.

I will support it and encourage our colleagues to support it. But I also will definitely vote for a number of amendments being offered here on the floor today that can make this bill a hallmark of the best America can do when we as a Congress have the will to do.

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

Mr. BONILLA. Mr. Chairman, I yield such time as he may consume to the gentleman from Florida (Mr. YOUNG), the Chairman of the Committee on Appropriations, my friend.

Mr. YOUNG of Florida. Mr. Chairman, I first want to congratulate the gentleman from Texas (Mr. BONILLA). This is the gentleman's first year as a chairman of a Subcommittee on Agriculture, Rural Development, Food and Drug Administration and Related Agencies, and he has done an outstanding job.

The gentleman came as a seasoned Member. The gentleman took over this very important role as chairman of the subcommittee, and he not only has produced a good bill, but he produced it in record time.

Although, he is a new chairman, he was the first one with a markup, and I congratulate the gentleman.

Mr. Chairman, I also congratulate the gentlewoman from Ohio (Ms. KAPTUR), the ranking minority member,

who worked very well in partnership to produce a pretty good bipartisan bill.

As usual, there will be some differences, as we proceed, and proceed we will, but I will urge Members to support the bill and be very logical and realistic as we approach the issue of amendments.

Now, on the subject of amendments. We are trying to accommodate Members, as I announced yesterday, to assess where we were in the afternoon and see if there was some way to get Members out of here at a reasonable time this evening.

It is pretty obvious we cannot complete consideration of this bill today, so I see no reason to go on into the late hours of the night or the wee hours of the morning.

However, in order to arrive at a reasonable adjournment time today, it is going to be necessary for Members to be willing to limit some debate, to agree to some time limits, which the gentleman from Wisconsin (Mr. OBEY) and I are working on this very minute.

Also, I would like for the Members to know that if Members have an amendment that they would like to have considered on this bill, it would be a good idea if they would advise the gentlewoman from Ohio (Ms. KAPTUR) or the gentleman from Wisconsin (Mr. OBEY) on that side or myself and the gentleman from Texas (Mr. BONILLA) on this side so that we can put those potential amendments into the list of the universe of amendments that we have to deal with.

We will be better able to manage this bill if we can do that. I put Members on notice that it would be a good idea to do that as soon as possible.

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

Mr. YOUNG of Florida. I am happy to yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Speaker, I would simply like to repeat what the gentleman just said. For the benefit of all Members on the floor or all Members whose staff may be watching in their offices, every Member is coming up and telling us they want to get out of here early tonight. It is my understanding that the leadership intends to try to make that happen. But we need to know which Members intend to offer their amendment and which Members do not intend to offer their amendments.

So I would ask every single Member on our side of the aisle, if they are contemplating an amendment or a colloquy, because yesterday we took almost 2 hours on colloquies, if they are contemplating any of that, they need to let us know immediately, because we need to do two things.

We need, first of all, to try to establish which amendments are going to be offered today and how much time is going to be taken on them. We have had the cooperation of five or six Members who have told us that they will be happy to settle for 10 minutes a side,

for instance. We need to fill out the rest of that. We need to know how far we are going to get in the bill today. Then if we can reach agreement on that, then that enables us to have some idea, perhaps, of what we can package so that we know what we are facing when we get back.

But what I would urge Members not to do to us is to neglect to contact us now, then see their point in the bill passed, so their amendment is not in order, and then try to redraft their amendment as a look-back at the end of the bill. We will not save any time that way.

If Members have amendments, we need them to be prepared now to bring them up today in the regular order on the bill so that we can get out of here at a reasonable time.

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

Mr. YOUNG of Florida. Mr. Chairman, I thank the gentleman for those comments. We are working hard. Now, if we get the cooperation of the membership, we can accomplish quite a bit of consideration on this bill today and still get us out of here at a reasonable time, and we will talk about that time a little later once we see what the universe of amendments will be for today.

With that, again, I want to congratulate the gentleman from Texas (Chairman BONILLA).

Ms. KAPTUR. Mr. Chairman, I yield 3 minutes to the gentlewoman from Connecticut (Mrs. DELAURO), a very hard-working and able member of our subcommittee.

Ms. DELAURO. Mr. Chairman, I want to thank the gentleman from Texas (Chairman BONILLA) and to the gentlewoman from Ohio (Ms. KAPTUR), the ranking member of the committee. I thank them for their leadership.

Given the kind of budget constraints that we have, there was a lot of hard work and a good bill that has been produced, though there are a few critical issues that remain that we need to continue to work on.

I also want to say thank you to this subcommittee and the associate staff for all of their help.

The bill addresses many of the urgent needs of American families. Let me just take a moment to focus on the crisis in agriculture today. America's economy and security relies on the strength of agriculture. Yet America's farmers are facing the toughest times since the Great Depression.

Connecticut is a leader in New England's agriculture, in eggs, peaches, milk production per cow. The Nation's oldest agriculture experiment station is just up the street from my home in New Haven. Like other farmers, Connecticut farmers face plunging commodity prices and soaring gas prices. Urban sprawl puts it in the top 10 States in lost farmland. This spring, record low temperatures eliminated almost 40 percent of our peach, pear, grape and apple crops.

I am proud of the funding for programs that reach out and help our

farmers: rural development, conservation, pest management, commodity marketing assistance.

This bill also funds food safety efforts, but in my view, as I have expressed before in the House today, does not go far enough. It needs to do more. Americans are more likely to get sick from what they eat today than they were a half century ago, and outbreaks of food sickness are expected to go up by more than 15 percent over the next decade.

Each year 5,000 Americans die from food-borne illnesses, 76 million get ill, and 325,000 are hospitalized. Just 2 days ago, the Excel Corporation recalled 190,000 pounds of ground beef and pork because of possible contamination by deadly E. coli.

The Food and Drug Administration inspects all food except meat, poultry and eggs. Yet to cover the 30,000 U.S. companies that make this food, the FDA has only 400 inspectors. For the 4.1 million imported food items entering the country, the FDA has less than 120 inspectors. To address this crisis facing the families, I will offer an amendment to increase the funds for inspections and other food safety initiatives.

As we move toward the conference, I also would like to work with the chairman to address the funding shortage that threatens WIC. If the administration's unemployment predictions come true, this essential nutrition program for low-income families, which yields more than \$3 in savings to the government in reduced spending on programs such as Medicaid, will, in fact, not have enough funds to serve all who are eligible, all eligible women, infants and children.

I look forward to working with the gentleman from Texas (Chairman BONILLA) and the gentlewoman from Ohio (Ms. KAPTUR) to address these important issues and others as we debate the bill.

Mr. BONILLA. Mr. Chairman, I yield 2 minutes to the gentleman from Colorado (Mr. TANCREDO).

Mr. TANCREDO. Mr. Chairman, I, too, want to rise in, in a way, admiration of the committee for their work on this particular piece of legislation, on this bill. It is truly commendable in a situation where profligate spending in this body is the norm, it is commendable to have a bill coming here that is only 1.5 percent above last year's spending and only 1.7 percent above the President's request.

There is no particular program in the bill with which I rise to take issue. I do wish, however, to just briefly discuss a point of concern that I have with the general tenor of our agricultural support payments. It is the fact that welfare, whether it is provided for able-bodied individuals or large corporate farmers, has a corrupting influence on both. The welfare farm subsidies keep land prices high, makes it harder for

small farmers to enter into the market. Farm subsidies decrease the incentive for efficiency, which would greatly benefit the agricultural sector.

This is a list, by States, I have a list here from CBO of those States that receive a percentage of their net farm income as a result of government payments. It is quite astounding. In 1999, the State of Illinois had 112 percent of its net farm income a government check; Indiana, 93 percent; North Dakota, 93 percent; Iowa, 87 percent; Missouri, 78 percent; Montana, 77. At least 12 States have government checks representing more than 50 percent of their net farm income. This is an unsustainable activity, and I urge the committee to think carefully about it in the future.

Ms. KAPTUR. Mr. Chairman, I yield 3 minutes to the gentleman from New York (Mr. HINCHEY), a member of our subcommittee who single-handedly turned this bill on end and was able to get language to deal with specialty crop producers across our country, a very, very hard-working and distinguished member of our subcommittee.

Mr. HINCHEY. Mr. Chairman, I thank the gentlewoman from Ohio (Ms. KAPTUR), ranking member, for her leadership on this committee and on this issue. I also want to express my appreciation to the chairman of the subcommittee. I think that the gentleman from Texas (Mr. BONILLA), in his first year as chairman of the subcommittee, has produced a very good bill, and it has been a pleasure working with him in this endeavor.

This bill adds \$260 million to the President's request for the U.S. Department of Agriculture. It increases funding for farm programs, conservation, rural development, education and research, nutrition, and food safety. When you add in the \$5.5 billion in emergency agricultural spending that the House passed earlier this week, total funding for these programs is substantially increased over last year.

As with any of these bills, of course, it could be even better. I think we should have made in order the amendment of the gentlewoman from Connecticut (Ms. DELAURO) to increase funding for food safety as well as the amendment of the gentlewoman from Ohio (Ms. KAPTUR) to fund the Global School Lunch Initiative.

But the gentleman from Texas (Chairman BONILLA) has written a balanced bill that addresses important priorities for rural America.

The bill also includes \$150 million for a market loss assistance program for apple growers. I offered this provision in committee with the gentleman from New York (Mr. WALSH) and the gentleman from New York (Mr. SWEENEY), and it was adopted by a strong bipartisan vote of 34 to 24.

I appreciate everything that the gentleman from Texas (Chairman BONILLA), the gentleman from Florida (Chairman YOUNG) and the gentleman from California (Chairman DREIER) have done to protect this funding.

I also would like to thank the gentleman from Washington (Mr. HASTINGS) and the gentleman from New York (Mr. REYNOLDS) for their parts in writing the rule as well.

The U.S. apple industry is suffering serious financial hardships for the fifth straight year as a result of low prices, bad weather, and plant diseases. During this time, the total value of U.S. apple production fell more than 25 percent, and losses from the 2000 crop alone will probably top \$500 million. This is a nationwide figure and includes losses, not only in New York, but also in Massachusetts, Michigan, Washington State, Pennsylvania, and every other place where apples are grown as a commodity crop.

Some of the apple losses can be blamed on foreign competition, the Chinese, for example, who were found guilty of dumping apple juice concentrate into the United States at prices below production costs. Increased tariffs have not significantly improved the price of apple juice in the last year.

Apple producers in New York and the Northeast watched the value of their crop decline as a result of severe hail damage. In Michigan, growers suffered a crippling epidemic of fire blight that destroyed thousands of acres of orchards.

Compared with the billions of dollars that Congress routinely sends to commodity producers, \$150 million is a drop in the bucket. This payment, however, will mean the difference between life and death for many growers across the country.

Mr. Chairman, apple growers face the same market, regulatory, trade and weather conditions that make the double AMTA payments necessary for row crop farmers. It is preposterous that our foreign policy differentiates so radically between them.

This is a good bill, Mr. Chairman. I am happy to support it.

Mr. BONILLA. Mr. Chairman, I yield 2 minutes to the gentleman from Alabama (Mr. RILEY).

Mr. RILEY. Mr. Chairman, I have an amendment at the desk that I intend to withdraw, but first I would like to engage the chairman in a colloquy.

Mr. Chairman, I rise to acknowledge a job well done by the chairman and the ranking member. Agricultural programs are often arcane and seem to benefit only the agricultural community, but through the chairman's leadership, the committee has produced a sound bill that benefits not only the agricultural community, but the Nation as a whole.

It is my understanding that the constraints placed upon the committee prevented funding for nearly all new research projects. One such unfunded project would have been undertaken by researchers at Auburn University, one of the leading agricultural research institutions in the country. This project sought to ensure public health through the development of improvements in poultry.

Mr. Chairman, this study, which I strongly support, will continue safely and efficiently producing poultry, and in an effort to address the environmental, human and animal concerns, I ask for your immediate consideration of a \$1.3 million human health, poultry-byproduct study at Auburn University. This study will determine the risks associated with poultry production and the contributions the poultry community can make to environmental stewardship and food safety through the development of innovative techniques documenting the presence of pathogens in the various phases of the production cycle and instituting techniques to eliminate them. This study, Mr. Chairman, will safeguard public health, the end-use consumer and the environment, all at minimal taxpayer expense.

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

Mr. RILEY. I yield to the gentleman from Texas.

Mr. BONILLA. Mr. Chairman, first, I want to acknowledge that the gentleman from Alabama (Mr. RILEY) has worked very hard on this issue that is very important to Auburn University, and I would be pleased to work with the gentleman as we go to conference on this issue. It is going to be a difficult issue, and the gentleman and I have had discussions about that before, but we are going to give it our best shot. Again, I know how significant and how important it is to the folks in Alabama.

Mr. RILEY. Mr. Chairman, I thank the gentleman from Texas (Chairman BONILLA) for his time and his consideration. I look forward to working with him.

Ms. KAPTUR. Mr. Chairman, I yield 3 minutes to the gentleman from Florida (Mr. BOYD), a member of our subcommittee, a rancher, and one of the most knowledgeable members of our subcommittee.

Mr. BOYD. Mr. Chairman, I want to thank the gentlewoman from Ohio for yielding me this time. I want to commend the gentleman from Texas (Mr. BONILLA), my chairman, and the gentlewoman from Ohio (Ms. KAPTUR), my ranking member, and their staff for their good work they have done on this bill.

□ 1430

Is it perfect? No, it is not perfect, but few things are. I believe this bill is as fair and as balanced a bill as is possible given the 302(b) allocations that we are working with.

The committee has produced a bill that is less than the committee appropriated last year but slightly more than the President requested for discretionary spending. We provide an additional \$60 million for the Animal and Plant Health Inspection Service, that is APHIS, which is responsible for conducting inspections and quarantine activities to protect animals and plants from disease and pests. Personally, I

believe we need to invest even more resources in this area. As we continue to enter trade agreements, making our borders more vulnerable to pests and diseases, and more and more people are traveling to and from our country, we put our farmers in a vulnerable situation.

Many of my colleagues have heard me talk about Citrus Canker in Florida time and again. In 1995, it was reintroduced through the Miami Airport and has now spread throughout the urban areas into the commercial groves and is threatening a \$9 billion industry, a \$9 billion industry, in Florida. We are spending hundreds of millions of dollars to fight this disease. If it is not eradicated, it could spread to other citrus States like Texas and California. It just makes more sense to invest the resources on the front end to make sure we are able to stop it at the borders.

Also, the threat of hoof and mouth disease entering our country is very real. We need to make sure APHIS has the resources to keep this terrible disease from spreading through our country.

The bill also provides an additional \$75 million for ag research, which is of utmost importance to our farmers and consumers and to all the Nation.

More and more we see soil and water conservation linking groups that never before could seem to agree on anything. I am pleased that this is an area that the committee recognizes as being critical and has provided an additional \$70 million over last year for a total of \$783 million for conservation operations.

There is additional funding for rural housing and development, programs that are important to all of rural America.

Mr. Chairman, I am pleased to rise in support of this bill and encourage my colleagues to support the bill also.

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

Ms. KAPTUR. Mr. Chairman, I would like to inquire as to our remaining time on both sides, please.

The CHAIRMAN. The gentlewoman from Ohio (Ms. KAPTUR) has 13½ minutes remaining, and the gentleman from Texas (Mr. BONILLA) has 21 minutes remaining.

Ms. KAPTUR. Could I ask the gentleman if he has any additional speakers.

Mr. BONILLA. Not at this time, but there may be more coming.

Ms. KAPTUR. Mr. Chairman, I yield 1½ minutes to the gentleman from Georgia (Mr. BISHOP), a distinguished member of the authorizing committee.

Mr. BISHOP. Mr. Chairman, I thank the gentlewoman for yielding me this time.

Mr. Chairman, this Congress can make historic progress in making agricultural programs that enable farm producers to survive in today's markets and to continue providing the highest quality commodities at the lowest cost to consumers.

The House has already passed a bill providing immediate farm relief, and the Committee on Agriculture has moved aggressively to draft a new multiyear farm bill to secure greater long-term stability. Today, we are considering a bill for the next fiscal year that provides \$260 million more than the President's budget; more for research, including some \$7 million more in Georgia; more for crop insurance; more in rural electric and communications loans; more for child nutrition and WIC programs; and sets aside more than \$79 billion over 10 years in new emergency aid, including \$7.4 billion for next year.

While I support a higher overall agriculture budget, it is time to move the process forward and resolve any differences in House and Senate negotiations. Our goal is to save our agricultural system at a time of crisis, and today we can take another step in that direction.

Mr. Chairman, while I am concerned that the bill does not give enough help to small and disadvantaged farmers and research and capacity grants for the 1890 Land Grant Universities, I support the amendment of the gentlewoman from North Carolina (Mrs. CLAYTON) to do that.

Today, Mr. Chairman, we can move the process forward to bring more help to American agriculture. I urge my colleagues to join in support of this bill. It is a good bill, it moves the process forward, takes drastic steps in the right direction; and, hopefully, we can do what we need to do for America's agriculture.

Mr. BONILLA. Mr. Chairman, I yield 3 minutes to the gentleman from Texas (Mr. THORNBERRY).

Mr. THORNBERRY. Mr. Chairman, I thank the distinguished chairman, the gentleman from Texas (Mr. BONILLA), for yielding me this time; and I rise for the purpose of a brief colloquy.

As I am sure the chairman is aware, a serious threat has sprung up in wheat growing areas making the lives of our already-struggling farmers even more difficult. A fungus called Karnal bunt has been found in my district as well as in the district of our colleague, the gentleman from Texas (Mr. STENHOLM). While Karnal bunt poses no threat to humans or animals, it can make wheat kernels and flour ground from them unpalatable. At this time, a few counties have been quarantined. It appears it has been well contained, but we will have issues of compensation and appropriate action before us.

I have been working with the chairman and ranking member of the full committee, the gentleman from Texas (Mr. COMBEST) and the gentleman from Texas (Mr. STENHOLM), as well as the chairman of the Subcommittee on Conservation, Credit, Rural Development and Research, the gentleman from Oklahoma (Mr. LUCAS), but I would request the distinguished gentleman's continued assistance in working with USDA and the administration to deal

with this issue appropriately and to deal with those who have been affected fairly.

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

Mr. THORNBERRY. I yield to the gentleman from Texas.

Mr. STENHOLM. I thank my friend for yielding to me, and I would like to say that the situation the gentleman has described is accurate, but here are the facts to date:

Seven producers affected, 10 elevator operators affected, 17 fields tested positive, 1.4 million bushels contaminated, and 21 bushels yet to be tested. An elevator operator in my district first discovered the fungus and bunted kernels in a load of grain delivered to his facility.

For these and many other reasons, I join my colleagues in working with USDA to contain this outbreak and ensuring the critical assistance provided to producers, elevator operators, and others in agribusiness who have seen their livelihoods put on hold.

So we look forward to working with my colleague, with the chairman, and with USDA, who are on top of this, and APHIS, to make sure that we contain it. It is extremely important to our industry.

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

Mr. THORNBERRY. I yield to the gentleman from Texas.

Mr. BONILLA. I thank my friend for yielding, and I would be more than happy and enthusiastic about helping my friend work on this problem. This is not a new problem for wheat producers. Accordingly, we will work to do everything possible to get USDA to act in a proper way, not only with the problem but to assist producers with whatever ramifications may occur.

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

Mr. THORNBERRY. I yield to the gentleman from Ohio.

Ms. KAPTUR. Mr. Chairman, I would like to thank my chairman for generously yielding that minute, and I just want to say that I share the gentleman's deep concern about what this particular condition can do to our export market.

We had a situation a couple of years ago where we had USDA officials up before our committee and we asked where on the continent does Karnal bunt exist. I said was it Canada? No, we do not have it in Canada. Is it in the United States? No, it is not in the United States. I said, how about Mexico? Absolutely. I said, How did it get over the border? And this goes back to NAFTA and these inspection issues. They could not say whether it came in seed in a car trunk or whether some bird carried it over. But, honestly, we have to work together to try to deal with the conditions that can come in here from other countries.

I would just express to the chairman of the Subcommittee on Agriculture, Rural Development, Food and Drug Administration and Related Agencies, to

the ranking member on the authorizing committee, and to the gentleman from Texas (Mr. THORNBERRY) that this Member is vitally interested in that problem, and he has my full cooperation on it.

Ms. KAPTUR. Mr. Chairman, I yield myself 30 seconds to say, however, that the costs of remediating that should not only be borne by the public sector. That is, if we are going to have problems related to trade, those participating in trade ought to bear the costs of what goes wrong in the transaction. What has been happening within USDA is we have been transferring the cost of trade to the public sector, and the private entities that benefit have not been carrying their fair share of the load.

So let us hope we can find a solution to that that is fair to all.

Mr. Chairman, I yield 3 minutes to the gentlewoman from North Carolina (Mrs. CLAYTON), a very, very esteemed member of the authorizing committee, and one of the hardest-working Members of this Congress.

Mrs. CLAYTON. Mr. Chairman, I thank the gentlewoman for yielding me this time. I want to commend both the chairman and the ranking member for their time and effort. They have been given a very difficult task of meeting the ever-demanding needs of the agricultural sector in the face of a difficult economy for agriculture, but also in the face of a number of environmental threats and trying to move us into the 21st century. They also have been given a very tight allocation, and I understand they are trying to work within the budget. I am on the Committee on the Budget, so I know the constraints that were imposed upon them.

There are many things they did very, very well; and I want to commend them on that. Indeed, they did increase allocations for APHIS, which I will talk a little more about, and that is desperately needed. Those are some current threats that they are trying to provide sufficient funds to address those issues. They also recognized the ever-demanding need for research for agricultural communities and our institutions. Again, I think we have an opportunity to make sure as we increase those research dollars that there is some equity and parity among the institutions that we have. I will have a chance to discuss that a little later.

So I want to commend them for all the things they have done. However, I do want to point out a couple of areas that I think we should give consideration to in the future. Although there were new dollars for APHIS, there is still environmental impact issues that we just heard about, the issue of the wheat. The funding in the bill is certainly to be commended. I had raised an amendment in the supplemental that was not approved, although in the notes that went forward, they acknowledged there was a need; and I want to say that we need to at least make the case to our Senator friends that we need to do even more. And as we write

the farm bill, hopefully, we will be mindful of that fact.

Nutrition, which is very dear to my heart, I want to commend the Committee on Appropriations for what they have done in increasing those areas. However, I would be remiss if I did not mention that WIC has identified that there is a need for 100,000 more eligible pregnant women and their children who may not receive basic needs. This is an issue I think we can do better on. I do not have an amendment for it, do not propose to have an amendment on it; but I just wanted to acknowledge that it is an area where I think we all would acknowledge we need to do more.

In conclusion, Mr. Chairman, I plan to vote for this bill. I also plan to try to make this bill even better. It is a good bill that could be better.

My final point is that I had hoped that the Kaptur amendment for the global lunch program would have been in order by the Committee on Rules. That is not the problem of the agriculture appropriation, but it is an issue for this Congress to recognize that we have an opportunity here to not only feed our children but to respond to hungry children across the world.

Mr. BONILLA. Mr. Chairman, I yield myself 4 minutes.

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

Mr. BONILLA. I yield to the gentlewoman from Connecticut.

Ms. DELAURO. Mr. Chairman, I thank the gentleman for agreeing to this colloquy.

I want to address the pressing need of adequate funding for the WIC program. At current funding levels, States may be unable to serve approximately 200,000 low-income mothers, infants and children. From my State of Connecticut alone, 1,300 people would not be served.

We know that the WIC program currently serves about 47 percent of all infants born in the United States, and we know the WIC dollars are excellent investments. Every dollar spent on WIC yields more than \$3 in savings to the government in reduced spending on programs such as Medicaid.

WIC has contributed to better birth outcomes and reduction in childhood anemia, key indicators of the health of American children. The program provides mothers, infants, and children with nutritious supplemental food packages, nutrition education and counseling, and a gateway to pre- and post-natal health care. The program also reduces fetal deaths and infant mortality and reduces low birth-weight rates.

I might just say we have an average participation rate for this fiscal year at about 7.2 million. That reflects the average participation for the first half of the year through March. That historically is the kind of participation that we have seen in the past. December and February are always the lowest participation months. Last year, aver-

age participation for the first half of the year was nearly 50,000 below average participation for the year as a whole. According to the Center for Budget and Policy Priorities, average WIC participation for the first 8 months of fiscal year 2001 was 80,000 higher than average participation for the first 6 months of the year.

Mr. Chairman, I have a concern that when unemployment increases, as it is doing, so does the poverty rate. And we need to understand that the WIC participation cannot increase as unemployment rises if none of the families that are eligible for WIC as a result of increased unemployment enroll.

□ 1445

I think if we are looking at the kinds of unemployment rates where there is the view that that unemployment rate is going to rise, then we are going to see an additional number of people who need to take advantage of the WIC program. We should do this now. State WIC programs make their decisions this fall about how to run their programs. As we move toward conference, and there are 302(b) reallocations, I would like to work with the chairman to address the potential funding shortage for the WIC program. If the administration's unemployment predictions come true, we will see that this very essential program will not have enough funds to serve all eligible women, infants and children.

Mr. BONILLA. Mr. Chairman, reclaiming my time, I would be pleased to work with the gentlewoman from Connecticut (Ms. DELAURO) on this issue. This program has widespread support of the Members in the whole House. As a result of the gentlewoman's efforts, the subcommittee has placed a priority on the program. We are aware that WIC participation levels can fluctuate above and below those forecast in administration budgets.

I look forward to continuing my work with the gentlewoman to address the changes that may be brought on by adjustments in caseloads, and I thank the gentlewoman from Connecticut (Ms. DELAURO) for her efforts.

Ms. KAPTUR. Mr. Chairman, I yield 3 minutes to the gentleman from Vermont (Mr. SANDERS).

Mr. SANDERS. Mr. Chairman, even the New York Yankees sometimes lose, and it has been known that on occasion the Los Angeles Lakers lose a ballgame. But, Mr. Chairman, one organization never loses, and that organization has hundreds of victories to its credit and zero defeats in the United States Congress, and that is the pharmaceutical industry.

For decades now, good people in the House and Senate, Democrats and Republicans, have attempted to do something about lowering the cost of prescription drugs in this country so that Americans do not have to pay by far the highest prices in the world for the medicine they need. And year after year with lies, distortions, well-paid

lobbyists, massive amounts of advertising, and millions in campaign contributions, the pharmaceutical industry always wins. Americans die and suffer because they cannot afford the outrageous cost of prescription drugs, and we remain the only country in the industrialized world that does not in one way or another regulate the cost of prescription drugs.

As part of this bill, the gentlewoman from Connecticut (Ms. DELAURO), the gentleman from New York (Mr. CROWLEY), the gentleman from California (Mr. ROHRBACHER) and the gentleman from Texas (Mr. PAUL) and I will be introducing an amendment which is exactly the same as the Crowley amendment that 363 Members of this House voted for last year. This amendment will serve as a placeholder so we can move the reimportation bill forward that was passed overwhelmingly last year, but was not implemented.

In a globalized economy, prescription drug distributors and pharmacists should be able to purchase and sell FDA safety-approved medicines at the same prices as in other countries. The passage of reimportation will lower the cost of medicine by 30 to 50 percent and enable Americans to pay the same prices as people in Canada, Europe, Mexico and all over the world.

Mr. Chairman, this amendment is supported by the Alliance for Retired Americans; the Children's Foundation; Church Women United; The Communication Workers of America; Families U.S.A.; The National Education Association; Network, a national Catholic social justice lobby; the Presbyterian Church; Public Citizen; The Service Employees International Union, SEIU; and the Universal Health Care Action Network.

Mr. Chairman, every time anyone comes up here to take on the pharmaceutical industry, their disinformation campaign goes forward; and this time in opposition to this amendment the issue is, quote/unquote, "safety." Every Member here should understand that this amendment does nothing to compromise safety, it only makes it possible to move the reimportation bill that we passed last year forward.

Ms. KAPTUR. Mr. Chairman, I yield 3 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), who has fought so hard for the Global Food and Education Initiative.

Mr. MCGOVERN. Mr. Chairman, I rise in support of this bill; and like many of my colleagues, I hope more funds may become available as we move forward in the appropriations process for critical programs that protect American farmers, conserve our soil and water, provide food aid abroad, and address hunger at home.

I would like to speak for a few moments about one such program. The Global Food for Education Initiative began last year as a pilot program. I want to make clear based on the report language accompanying this bill that the committee expects this program to

continue through fiscal year 2002, and in turn this program will provide approximately 9 million hungry children in 38 countries with at least one nutritious meal each day and a chance to go to school.

The report accompanying H.R. 2330 contains strong and explicit language in support of this program saying, "The committee expects the Secretary of Agriculture shall continue in fiscal year 2002 the Global Food for Education Initiative program implemented in 2001 at the level implemented in fiscal year 2001. The assistance provided under this section shall be in addition to other demands for section 4169(b) and Public Law 480 title II commodities."

Mr. Chairman, I thank the gentleman from Texas (Mr. BONILLA), the gentlewoman from Ohio (Ms. KAPTUR), and the gentlewoman from Missouri (Mrs. EMERSON) for their leadership. This program, first proposed last year by former Senators George McGovern and Bob Dole, needs to be permanently established and authorized. Nothing illustrates this more than the difficult debates in the Committee on Appropriations and the Committee on Rules, where Members of both parties who support this initiative were faced with a difficult scoring issue because the program is funded under CCC authority.

The gentlewoman from Missouri (Mrs. EMERSON), the gentlewoman from Ohio (Ms. KAPTUR), and the gentleman from Ohio (Mr. HALL) have introduced H.R. 1700 to make this pilot initiative a permanent program so that this debate never happens again. I call upon my colleagues to join the broad bipartisan coalition of Members who have cosponsored H.R. 1700.

Mr. Chairman, I respectfully ask Secretary of Agriculture Ann Veneman to use her executive authority to extend funding for this program for fiscal year 2002. I also call upon the Secretary to provide immediately the basic administrative funding requested by such organizations as Catholic Relief Services and CARE so that they may carry out the pilot program in an efficient and productive manner. For the past 50 years, these organizations have implemented many of our best food and development programs. They are proven partners, and they guarantee that our food aid programs have an American face and character on the ground. Along with our farmers, they are among our best ambassadors abroad, and they deserve our support.

Mr. Chairman, I thank the chairman and ranking member for their work on this bill, and I urge my colleagues to support it.

Mr. BONILLA. Mr. Chairman, I yield 2 minutes to myself.

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

Mr. BONILLA. I yield to the gentleman from New Jersey.

Mr. ANDREWS. Mr. Chairman, the Repaupo Creek watershed in my dis-

trict in New Jersey is in urgent need of a replacement tide gate and dike restoration project. The project is needed for several reasons, the most important of which is to provide flood protection for the residents of Logan and Greenwich Townships in Gloucester County. The Department of Agriculture's Natural Resource Conservation Service has the authority to undertake projects on watersheds that are smaller than 250,000 acres. This project meets that requirement.

Although the Repaupo Creek is a small watershed, the tide gate sits on the Delaware River, and there is some question whether a waiver will be required to do this project.

Given the urgent need for this work to be completed, and given that New Jersey officials of the Department of Agriculture have expressed a desire and willingness to work on this project, I ask the chairman on behalf of the subcommittee to agree that there is jurisdiction under present law for USDA to do the work repairing the Repaupo tide gate.

Mr. BONILLA. Mr. Chairman, reclaiming my time, while I have not examined this issue in particular in detail, I assure the gentleman from New Jersey that I will work with him on this and will consider inserting language into the final report regarding this matter.

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

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

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

Ms. KAPTUR. Mr. Chairman, as we close down general debate, I want to state my sincere thanks to the gentleman from Texas (Mr. BONILLA) for his openness in working through this bill. He has been responsive to all of our Members. We have had some testy moments at the subcommittee and full committee levels, but we have managed to keep walking forward; and I congratulate the gentleman on this first bill that he has brought to the full House.

Mr. Chairman, regarding the issue of Karnal bunt and the wheat supply in Texas, a couple of years ago post-NAFTA, we had a situation in Arizona and in Texas, and I believe even in parts of California, where it was suspected that this fungus had moved into our wheat supply. This is a really serious issue. It essentially can make our wheat product unexportable. Already we are having trouble in our wheat markets as China now exports to us more wheat than PNTR ever anticipated. Now we have this real contamination inside our country.

We need USDA's attention to this issue. I am going to enter into the RECORD a Sunday, June 24 article from the Associated Press on this question. It explains one of the reasons we fought so hard in this budget and in this bill for additional help for the inspector general, additional help for the

Animal, Plant Health Inspection Service so we could have timely inspections and also avoid of these problems in the first place.

Mr. Chairman, this bill is not perfect. Let us hope as we move toward the Senate it can be made even better. But we ask for the membership's support. In closing down this general debate period, I would hope that we can move through the amendments in a very expeditious manner so Members can catch airplanes late tonight in order to get home.

[From the Washington Post, June 24, 2001]

USDA WHEAT DISEASE REACTION FAULTED
GROWERS SAY THE SPREAD OF KARNAL BUNT
FUNGUS COULD BE CRIPPLING

(By Roxana Hegeman)

ANTHONY, KAN.—Bureaucratic bungling by the U.S. Department of Agriculture has allowed the spread of a plant disease that could prove as devastating to wheat exports as foot-and-mouth disease has been to European livestock, farm groups said.

Wheat growers in Kansas, Oklahoma and Texas say the USDA responded too slowly to an outbreak of Karnal bunt at the southernmost edge of the nation's wheat belt just as harvest season was getting underway.

Karnal bunt is a fungus that is harmless to people but sours the taste and smell of flour made from infected kernels. It also slightly cuts production in infected fields. The disease's main impact is economic: 80 countries ban imports of wheat grown in infected regions.

That could be as crippling for American growers, who last year produced nearly \$6 billion of wheat, as would be the discovery of foot-and-mouth disease in U.S. livestock, said Brett Myers, executive vice president of the Kansas Wheat Growers Association.

Europe's foot-and-mouth outbreak has cost millions of dollars for the slaughter of some 3 million animals and a ban on exports.

The suspected Karnal bunt contamination was first reported to the USDA on May 25, and Michael Bryant, co-owner of the elevator in Olney, Tex., that found it.

But it was seven days before the USDA's Animal and Plant Health Inspection Service (APHIS) confirmed the finding, and 15 days passed before it quarantined the first affected counties.

"Their reaction to the situation was not as timely as we would have liked," said Kansas Agriculture Secretary Jamie Clover Adams.

Charles P. Schwalbe, deputy director of APHIS's plant protection and quarantine program, said his agency sent the sample away for testing at a national lab instead of using a local one to make sure it had accurate and legally defensible information before taking action.

"The decisions that emerge . . . mean livelihood to people from time to time," Schwalbe said.

The Karnal bunt found in Throckmorton and Young counties in Texas were the first confirmed cases in the nation's wheat belt, an area extending from central Texas to Alberta, Canada.

On June 19, concern grew as the USDA added neighboring Archer County to the quarantined area, followed by Baylor County the next day. One elevator has also been quarantined in Fort Worth, about 150 miles southeast.

Karnal bunt, which originated in India, was first detected in the United States in 1996 in Arizona and California. It has since spread to southern Texas and New Mexico.

In Arizona the amount of land used to grow wheat dropped almost 50 percent after a

quarantine was imposed in 1996 in four counties, according to the Arizona Agricultural Statistics Service.

But Arizona is a minor durum wheat producer, and U.S. wheat growers have reassured overseas buyers that the disease was far from the nation's major winter wheat producing region. Winter wheat, which is planted in the fall and harvested in the spring, accounts for about two-thirds of U.S. wheat and is used primarily for bread. Durum wheat is used for pasta.

With half the winter wheat going to the export market, the discovery of the disease at the southernmost edge of the nation's breadbasket just as the wheat harvest was moving north sent shock waves through the wheat belt.

State regulators feared that custom harvesters—cutters who follow the ripening wheat harvest from Texas to the Canadian border—would spread the fungus.

Oklahoma, just 50 miles from the two Texas counties where the disease was first discovered, immediately closed its borders and ordered combines coming into the state to be blocked and inspected. Harvesters from infected areas without a USDA certification of cleanliness were turned back.

"We need to preserve our heritage and our wheat industry. The spread of Karnal bunt in Texas should be considered a threat to Kansas wheat," said Kansas Gov. Bill Graves (R). Kansas is the nation's biggest wheat producer, with a \$1 billion crop and nearly 10 million planted acres.

Rep. Frank D. Lucas (R-Okla.) has been pursuing the issue after a request from growers for a congressional investigation into the USDA's handling. His office said he has not decided whether to ask for an inquiry.

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

Mr. BONILLA. Mr. Chairman, I yield 2 minutes to the gentleman from Washington (Mr. NETHERCUTT), a very distinguished member of the subcommittee.

Mr. NETHERCUTT. Mr. Chairman, I thank the gentleman for yielding me this time and for his kind remarks.

Mr. Chairman, I am delighted to stand in support of this bill. We have had a lively and valuable discussion on both sides of the aisle on various issues.

Mr. Chairman, I think the subcommittee chairman has done a wonderful job to put this bill together in essentially record fashion. I am grateful to him for his leadership.

I am supportive of this bill because it has a strong research component for agriculture, production agriculture, to be sure that it has the tools and the information and the technology necessary to compete in a world market. That is what we need for our farmers.

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I also am pleased that this bill under the chairman's leadership has increased food safety and inspection. We have the safest food supply in the world and we must make sure that we acknowledge that and do not denigrate it in debate on the issue, because we have a very safe system. We need to keep it safe. We will keep it safe with the resources that are available in this bill.

At the subcommittee and the full committee level, I had raised the issue

of ecoterrorism. When we spend multimillions of dollars on agriculture research but yet some of that research gets destroyed by extremists, ecoextremists who seek to destroy agriculture research, then we need to make sure we, as taxpayers and as Members of this body, protect that research.

This is not the place or the time for that issue and the discussion surrounding it, but it is an issue that we need to attend. My expectation is that we will attend to it as we go through the legislative process later in this year. But I think those of us who care deeply about agriculture need to be critically aware that ecoterrorism is a reality in this country. We need to protect the research and the researchers.

I urge my colleagues to support this bill.

Mr. BONILLA. Mr. Chairman, I yield 2 minutes to the gentlewoman from Connecticut (Mrs. JOHNSON).

Mrs. JOHNSON of Connecticut. Mr. Chairman, I want to thank the gentleman for this opportunity to express my strong support for his bill and point out a small provision of it that is extremely important to the farmers of the northeastern part of the Nation, particularly to those in Connecticut. I strongly support the increase in funding for the EQIP program, the Environmental Quality Incentives Program, because it will help us achieve our national attainment goals in the area of clean water.

The AFO/CAFO regulations are expensive. My State has adopted all of the implementing policy to assure compliance with the AFO/CAFO regulations; and the only reason frankly, the only possible way that small farmers can survive these costly regulations is through the technical assistance that the EQIP funds provide to them to help them determine what projects will, in fact, contain runoff. These funds give them some help in offsetting the costs of developing manure management programs and other modern approaches that will enable them to make a significant contribution to the cleanliness of our waterways and also, in the long run, to the revitalization of Long Island Sound.

In New England, we have very steep, hilly farms. We also have more rainfall than other parts of the country. So the burden on us is, frankly, far higher than the burden on other parts of the country. We are not a part of the country that benefits much from the farm bill through its crop assistance and other programs, but so some of its conservation dollars, and these EQIP dollars, are extremely important to us. I thank the chairman for uncapping them and making more resources available for compliance with the AFO/CAFO requirements.

Mr. BONILLA. Mr. Chairman, our Committee has worked hard to bring a good bill to the House. We have made prudent recommendations for the use of the budgetary allocation available to us, and we have done yoeman

work in keeping the bill free of contentious issues such as trade policy, that have caused concern in prior years. I think we have a very good bill, and I know that we will have a good debate. In closing, I would certainly hope that everyone would support this bill on final passage.

Mr. KIND. Mr. Chairman, today the House is considering funding for the fiscal year 2002 Agriculture appropriations bill. This bill provides funding for U.S. Department of Agriculture and the Food and Drug Administration.

As a Member of Congress from a large agricultural district who is also concerned about this Nation's long-term fiscal health, I am concerned that this measure is yet another repeat of past agriculture spending packages—where Congress is providing fewer-and-fewer farmers with financial assistance.

The failure of this Congress to make fundamental changes to existing agriculture policy, which had led to many farmers being driven off their land due to the perverse financial incentives, is beyond reasonable belief.

It is my hope that future agriculture policy will be equitable, providing federal assistance—when needed—to all producers. It is my hope that future agriculture policy respects the broad diversity of rural America. It is my hope that future agriculture policy provides for clean and safe drinking water, along with improved soil and air quality.

Mr. Chairman, this measure obviously covers more than just financial assistance to American farmers. In addition, it provides important funding for nutrition programs, food inspection, and safety. For these reasons, it is very important that this measure is passed.

Mrs. MALONEY of New York. Mr. Chairman, in January 1997, when the Asian Longhorned Beetle was first spotted in the United States right in the heart of Brooklyn, I called on the Department of Agriculture to do everything in its power to eradicate this tree-killing beetle before it devastated the Northeast urban forestry network. The strong efforts from the Agriculture Department, in close coordination with State and city agencies, slowed the beetles spread significantly, but sadly, New York has lost more than 5,000 trees in less than 6 years from beetle infestation.

In recent years, I have held numerous community forums on the issue to raise awareness about the beetle's devastating effects and to discuss strategies to prevent the spread of beetle infestation.

I have also worked closely with my colleagues in the New York delegation to secure adequate funding to stop the beetle before it spreads deeply throughout the Northeast region and into the rest of the country.

My aim has always been the protection of our farmlands, our trees and our forests through the containment and complete eradication of the Asian Longhorned Beetle.

This year's Agriculture Budget provides crucial resources toward that end, with \$35 million appropriated to fight the Asian Longhorned Beetle, citrus canker, and the plum pox virus. This is a significant increase in funding for a very significant problem. Unchecked, costs from the spread of the Asian Longhorned Beetle could rise as high as \$41 billion nationwide.

I want to thank Congressman BONILLA and Congresswoman KAPTUR for including these significant funds to battle the beetle.

I also want to note that the Interior budget currently includes almost \$24 million for the U.S. Forest Service for the Cooperative Land Forest Health Management program specifically to fight the spread of the gypsy moth and the Asian Longhorned Beetle.

Resources for the fight against beetle infestation are especially important to New York City. Just this month, 60 trees from Calvary Cemetery in my district in Queens were cut down, chipped, and burned to the root because of beetle infestation. Additional trees were recently cut down in Astoria and Woodside Queens.

In fact, since the beginning of this year, the Brooklyn, Queens region has lost close to 300 more trees to beetle infestation. Manhattan has lost more than 50 trees and the Bayside area lost more than 150 trees. The total loss for the New York City, Long Island area is up to 5,300 trees.

The beetle is simply devastating large portions of the region. With new resources, we will be able to fund areas where there have been significant shortfalls. We will be able to train our residents to identify the beetle and respond appropriately if they spot one. We will be able to increase funds for tree inspections, removal, and reforestation efforts.

Also, we will continue to move forward with new treatments for healthy trees that help prevent beetle infestation. In short, we will battle this menace on all fronts to protect our trees, our environment, and our quality of life.

Mr. BEREUTER. Mr. Chairman, this Member rises in support of H.R. 2330, the Agriculture appropriations bill for fiscal year 2002.

This Member would like to commend the distinguished gentleman from Texas (Mr. BONILLA), the chairman of the Agriculture Appropriations Subcommittee, and the distinguished gentlewoman from Ohio (Ms. KAPTUR), the ranking member of the subcommittee, for their hard work in bringing this bill to the floor.

Mr. Chairman, this Member certainly recognizes the severe budget constraints under which the full Appropriations Committee and the Agriculture Appropriations Subcommittee operated. In light of these constraints, this Member is grateful and pleased that this legislation includes funding for several important projects of interest to the State of Nebraska.

First, this Member is pleased that H.R. 2330 provides \$461,000 for the Midwest Advanced Food Manufacturing Alliance (MAFMA). The alliance is an association of 12 leading research universities and corporate partners. Its purpose is to develop and facilitate the transfer of new food manufacturing and processing technologies.

The MAFMA awards grants for research projects on a peer review basis. These awards must be supported by an industry partner willing to provide matching funds. During the seventh year of competition, MAFMA received 39 proposals requesting a total of \$1,382,555. Eleven proposals were funded for a total of \$348,147. Matching funds from industry for these funded projects total \$605,601 with an additional \$57,115 from in-kind funds. These figures convincingly demonstrate how successful the alliance has been in leveraging support from the food manufacturing and processing industries.

Mr. Chairman, the future viability and competitiveness of the U.S. agricultural industry depends on its ability to adapt to increasing

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

This Member is also pleased that this bill includes \$200,000 to fund the National Drought Mitigation Center (NDMC) at the University of Nebraska-Lincoln. This project is in its fourth year and has assisted numerous States and cities in developing drought plans and developing drought response teams. Given the nearly unprecedented levels of drought in several parts of our country, this effort is obviously important.

Furthermore, this Member is also pleased that the measure provides \$700,000 for efforts at the University of Nebraska-Lincoln to improve biomass for feedstocks. The research will benefit the environment and the agricultural economy. It also holds the potential to greatly reduce the nation's dependence on foreign sources of energy.

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

This Member is also pleased that the legislation funds the following ongoing Cooperative State Research, Education, and Extension Service (CSREES) projects at the University of Nebraska-Lincoln: Food Processing Center: \$42,000; non-food agricultural products: \$64,000; sustainable agricultural systems: \$59,000; Rural Policy Research Institute (RUPRI) (a joint effort with Iowa State University and the University of Missouri): \$1,300,000.

In addition, this Member is pleased that the bill directs the Agriculture Research Service to collect and focus \$300,000 at the University of Nebraska-Lincoln to address sorghum fungal plant pathology concerns. This funding will fill a critical need for fungal pathology research for sorghum in the central Great Plains and the United States.

This Member would also note that H.R. 2330 includes \$99.77 million for the section 538, the rural rental multifamily housing loan guarantee program. The program provides a Federal guarantee on loans made to eligible persons by private lenders. Developers will bring 10 percent of the cost of the project to the table, and private lenders will make loans for the balance. The lenders will be given a 100 percent Federal guarantee on the loans they make. Unlike the current section 515 direct loan program, where the full costs are borne by the Federal Government, the only costs to the Federal Government under the 538 Guarantee Program will be for administrative costs and potential defaults.

Mr. Chairman, this Member certainly appreciates the \$3.1 billion appropriation for the Department of Agriculture's Section 502 Unsubsidized Loan Guarantee Program. The program has been very effective in rural communities by guaranteeing loans made by approved lenders to eligible income households in small communities of up to 20,000 residents in nonmetropolitan areas and in rural areas. The program provides guarantees for 30-year fixed-rate mortgages for the purchase of an existing home or the construction of a new home.

Mr. Chairman, in conclusion, this Member supports H.R. 2330 and urges his colleagues to approve it.

Mr. LARGENT. Mr. Chairman, I rise today to express my support for H.R. 2330, the FY 2002 Agriculture appropriations bill. I am pleased that the Appropriations Committee has both supported our farmers and displayed fiscal discipline by remaining close to the President's budget request. This responsible bill addresses the needs of our nation's farmers and ranchers while keeping in mind the desire of American consumers to buy affordable and safe agriculture products.

I want to commend the full committee for passing a number of important amendments. Specifically, I am pleased that employees of the Farm Service Agency will be better able to deliver farm ownership, farm operating, and disaster loans through improved salary and expense funding and through additional resources for agricultural credit programs. This assistance will come as a welcome relief as the workload of this vital agency has grown in response to a weakening farm economy.

I am also pleased with the investment this bill makes in the future safety and health of our citizens and our environment. The research that will be facilitated and advanced through this bill will ensure the continued quality of our food supply by improving safeguards. The conservation programs within the bill also reflect foresight. The desire of farmers to preserve American soil exemplifies the respect and attachment they have for the land in which they are invested.

Lastly, I am encouraged by the Distance Learning and Telemedicine Program which will link rural Americans with resources and opportunities previously available only in urban areas. As we seek a prosperous future for our rural residents, we must find ways to stimulate local economies. This bill advances that goal through education and enhanced services that will enable individuals and families to stay in their hometowns while receiving education and health services. Using technology to provide useful links between rural and urban areas will slow the flight to cities and preserve smaller towns and municipalities, which are vital pieces of the American fabric.

I commend the chairman and all of the members of the committee for crafting this responsible bill.

Mr. TANCREDO. Mr. Chairman, I rise in opposition to H.R. 2330, the Agriculture Appropriations Act, a bill considered on the floor today which makes appropriations for the Department of Agriculture and related agencies. But more specifically, I rise in strong opposition to the increase provided in the bill for the Food and Drug Administration (FDA) and would like to call the House's attention to a problem that one of my constituents has been having with the agency and one that I believe

deserves careful consideration by the oversight committees in this chamber.

Recently, the FDA gave final approval of my constituent's Pre-Market Application for both total and partial joint implants after an exhaustive and blatantly biased 2-year review, but not before costing his company over \$8 million in legal fees, lost wages, and profits.

In April 1999, I received a phone call and letter from TMJ Implants, a company located in Golden Colorado, in my district, which had been having problems with the review of its Premarket Approval Application of the TMJ Total and Fossa-Eminence Prosthesis. Up until last year, the company was the premier market supplier of temporomandibular joint prosthesis.

Over the last 2 years, I have taken an active interest and an active role in monitoring the progress of TMJ Implants' application, which was finally approved in February. On numerous occasions, I met with Dr. Bob Christensen, president of TMJ Implants, to find out information about the approval of the partial and total joint, and personally talked to FDA Commissioner Jane Henney and to members of the Agency about the status of the company's applications. I was also, and continue to be, in contact with the House Commerce Subcommittee on Oversight, which has sole jurisdiction over the FDA and issues relating to abuse and the internal operations of the agency.

Specifically, I closely followed this case since my office's first contact with Dr. Christensen and TMJ Implants in early May 1999, after a meeting of the FDA's Dental Products Panel of the Medical Devices Advisory Committee was held to review the company's PMA and recommended approval of the PMA by a 90 vote. From this point onward, the FDA engaged in an obvious pattern of delay and deception and even went as far as to remove TMJ Implants' Fossa-Eminence Prosthesis from the market, which had been available for almost 40 years. This had done nothing more than to cause harm to patients and cost the company millions of dollars.

This was done at the same time that the application for TMJ Concepts, a competitor of TMJ Implants, sailed through the process. Several allegations have come to light over the last two years detailing the fact that several Agency employees have worked under the direction of TMJ Concepts' associates.

The agency went so far as to reconvene a new Medical Devices Advisory Committee late last year, with a clear majority of its members lacking the required expertise, which denied the company's application.

It was not until Mr. Bernard Statland, the new Director of the Office of Device Evaluation (ODE) was brought in that the logjam was broken the PMA was quickly approved.

As the above demonstrates, several concerns remain about the process that has taken place over the last two years. It is no secret that everyone involved in this case believes that there have been significant question raised about the process—the sluggish pace of the review of the engineering data for both the total and partial joint and, more importantly, the constant “moving of the goal posts” during the review of both PMAs.

Over the last 2 years, my office has received numerous letters from physicians all across the country—from the Mayo Clinic to the University of Maryland—each describing

the benefit of the partial joint and the fact that the partial and total joint results in immediate and dramatic in pain, an increase in range of motion and increased function.

While I am, of course, pleased that the application has been approved by the FDA after much delay, the circumstances of the last 2 years calls into question the integrity of the agency and, it is for this reason that I bring it to the House's attention.

Dr. Christensen is a true professional and a pioneer in his field and holder of the first patents. His implants are widely accepted as effective and safe throughout the dental and surgery community—indeed, several of my constituents have literally had their lives changed by the procedure. I am convinced that the work of TMJ is and always has been based on solid, scientific principles and the removal of the implants work of TMJ is and always has been on solid, scientific principles and the removal of the implants from the market had been erroneous, contrary to the Agency's earlier findings and the statutory standard that should be applied. This was devastating to thousands in the general public and devastating to the financial status of the company.

Later this year, the House of Representatives will consider legislation reauthorizing the Food and Drug Administration and I would like to urge the House Commerce Committee to hold hearings on the TMJ Implant case and to conduct a thorough investigation into the FDA's review of the Premarket Approval Application of the TMJ Fossa-Eminence Prosthesis.

I would like to take this opportunity to submit into the RECORD two articles from FDAWebview which shed light on the TMJ Implant case.

[From FDAWebview, Feb. 28, 2001]

“FULL DISCLOSURE” STANDARD IN TMJ APPROVAL OPENS NEW FDA ERA

Instead of FDA tying itself in knots trying to guarantee no inappropriate patient exposures to implanted devices—and stalling a product in mid-review as a result—yesterday's approval of the TMJ Implants Fossa-Eminence Prosthesis set a new “full disclosure” labeling standard that lifts that self-imposed burden from the agency and should expedite other product reviews. TMJ Implants' pre-1976 jaw joint devices was stalled for 20 months in a classification PMA review until new Office of Device Evaluation (ODE) director Bernard Statland broke the logjam. In doing this, he was implementing one stage of a bold new Center policy on innovative public use of clinical device information articulated last year by Center director David Feigal—placing such FDA-held information in the hands of physicians and patients.

According to one of the two attorneys who steered the TMJ Implants submission through its FDA ordeal, Mike Cole (Bergeson & Campbell), yesterday's approval is the first he's seen in 25 years of dealing with ODE where the agency stepped back from its “appropriate use” worries and left them to physicians and patients to decide, based on full disclosure in labeling of the device's real-world limitations—including the availability of no-device alternative therapies.

Under the Fossa-Eminence labeling's Warnings section is a boxed statement headed, “The medical literature reports,” with four bulleted statements:

That many cases of Internal Derangement resolve after non-surgical treatment, or, in some cases, with no treatment at all.

That the complexity of contributing factors in this patient population must be considered in the diagnosis and decision to surgically treat patients.

That replacement surgery, therefore, should be utilized only as a last resort after other treatment options are exhausted or determined not to be warranted in the medical judgment of the physician/dentist in consultation with the patient.

That the Wilkes classification is a guide in determining the severity of the disease. This classification should not be relied on as a sole criterion for surgical treatment.

"It really is a striking difference in philosophy," Cole told FDA Webview. "It discloses that a lot of patients have responded without surgery . . . It describes situations where the doctor arrives at the diagnosis that surgery may be appropriate, but it doesn't prejudice it. Over the years, there have been all these notable instances of concern about off-label use of products and misuse of products, and part of it comes, I think, from a mentality that we have to be 100% sure that it will be used appropriately. As a result, manufacturers have started submitting applications with more and more restricted indications statements in them because that can get through system."

Cole and colleague David Rosen (McDermott, Will & Emery) believe the TMJ Implants devices had been logjammed at FDA for so long simply because reviewers were afraid the products would be used inappropriately—an FDA syndrome that has effected many other products over the years. "A lot of times, what it really comes down to is demands for more data, more data, more data," Cole explained, "because the reviewers are not comfortable with the idea that the device ought to be on the market, or available. The way out of that is to keep asking for more information."

In TMJ Implants' case, he said, review leader Susan Runner "held what I think was a very honest and sincere concern about the device being used in cases where patients might respond without surgical treatment. Because the studies hadn't been set up to prove exactly what I think we had demonstrated, she had this really deep-seated concern about the product being used, and it just went round and round in circles. We had no apparent instances of misuse of the device, but we were getting nowhere."

"When we had this meeting with Dr. Statland, he got up with a whiteboard and started talking about the data, and he said to his people, 'You know, we've got a lot of information here; what we need to do is figure out how we're going to present this information to the doctor so that the doctor and the patient understand exactly where surgery fits in this and make sure we discuss the limitations of the data.' For the first time that I've heard this in 25 years dealing with Center, he said: 'We'll discuss this information in the labeling and we'll let the doctors and the patients decide whether they want to use the device—we won't decide for them.'"

Statland, Cole said, stopped the reviewers' agonizing at the point where reasonable assurance of safety and efficacy had been demonstrated, thus preventing the agency from continuing to stray into attempts to secure an absolute guarantee that the product would not be used improperly. "In a way it's a kind of subtle point, but in a way it's also a sledgehammer point. When Dr. Statland said 'This is what we're going to do,' it was over."

[From the FDAWebview, Feb. 27, 2001]

TOUGHEST DEVICE APPROVAL CLEARS LAST OF EMBATTLED FIRM'S IMPLANTS

Ending a 20-month, \$6 million ordeal for Colorado-based TMJ Implants Inc., CDRH Office of Device Evaluation director Bernard Statland 2/27 approved the last and most important of the company's two PMAs—for the

TMJ Fossa-Eminence Prosthesis. Without his personal involvement in the review—including private discussions with several oral surgeons, it would still be bogged down, observed TMJ Implants' attorney, former FDAer David Rosen (McDermott, Will & Emery) who with Mike Cole (Bergeson & Campbell) helped propel the tortured review to its successful conclusion; Rosen ranks this approval at the top of the toughest FDA approvals he has experienced, inside or outside the agency, including both generic drugs and medical devices.

At one point, FDA reviewers allegedly predicted the Fossa-Eminence, or partial jaw joint, would never be approved. The only device of its type every marketed, it attracted heavy reviewer skepticism. Then, last month, the company's two-part total joint, of which the Fossa-Eminence is a component, was approved. This seemed like a consolation prize, because the total had been only a small part of the company's business. TMJ Implants CEO Robert Christensen recalls an FDA manager asking whether the company could not be satisfied just with the total while the agency continued to consider the partial. "I told them we could not survive on the total," he said.

In 1998, as it was moving against his pre-1976 devices pending classification and PMA submission, FDA approved a new competitor's total joint, indicating agency satisfaction with that technology, especially the competitor's plastic cup (Christensen's devices are all-metal).

The final labeling of the Christensen Fossa-Eminence now actually gives his partial device more indications than he originally asked for, and effectively restores the device to all of its marketed uses before FDA's classification process removed it from commerce 20 months ago (the company had reduced the indications it was requesting based on FDA and advisory panel suggestions). The new approval lists these indications:

Internal derangement confirmed to be pathological in origin by both clinical observation and radiographic findings, where the patient has moderate to severe pain and/or disabling dysfunction and has not responded to less invasive, conventional therapy;

Inflammatory arthritis involving the temporomandibular joint not responsive to other modalities of treatment; Recurrent fibrosis and/or bony ankylosis not responsive to other modalities of treatment;

Failed tissue graft;

Failed alloplastic joint reconstruction.

These indications all had to be justified by a prospective clinical study that Christensen and oral surgeons using these devices had provided, but that CDRH's Division of Dental, Infection Control and General Hospital Devices had difficulty evaluating. Statland told FDA Webview he injected himself into the review because it was "stuck." It helped that his wife once had a TMJ condition that did not require surgery—he learned as much as he could about "this very complex problem, which has many causes and many different treatments."

As he got into the TMJ Implants controversy, he discovered that the parties' positions had hardened through communication breakdowns, which he was able to soften. "There was venting on both sides," Statland said.

"The message is," he told us, "that those companies that are very conscientious in prospective studies, that have the data, find that that speaks much louder than anything else. Anecdotal information is fine, opinions of various people and declarations are fine, but we have to look at the numbers. I think that's the take-home lesson."

With TMJ Implants, Statland said, FDA played "a consultative role," although he

would not address Christensen's complaints that the early stages of the review were far from consultative. "I'm pro-technology," he stressed. "I want good devices to be out there. Those things are going to help people. At the same time, I want full disclosure, so people can make good decisions."

Rosen acknowledged that after Statland began opening up the issues dividing the company from reviewers, there were holes in the data (e.g., patients lost to follow-up) that the company had provided and that reviewers apparently didn't know how to assess. After one round-table discussion, on 2/9, he and Mike Cole worked through the weekend to extract from the company's prospective clinical study data a subset analysis of patients who had at least three years' experience with the Fossa-Eminence implant. On 2/13, he presented this to the reviewers, and it answered all of their questions. That left only the labeling, which then moved quickly to completion.

Christensen, who had enlisted legal, political and media help in his frustration with the process, told us 2/27 he is now "very pleased" with the result, although he thinks FDA owes him for some of his extraordinary costs in restoring his two devices to the market. He has resumed full marketing efforts. By his calculations, he has \$6 million to \$8 million in losses to make up.

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

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule and the amendment printed in House Report 107-118 is adopted.

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

The Clerk will read.

The Clerk read as follows:

H.R. 2330

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2002, and for other purposes, namely:

TITLE I

AGRICULTURAL PROGRAMS

PRODUCTION, PROCESSING, AND MARKETING

OFFICE OF THE SECRETARY

For necessary expenses of the Office of the Secretary of Agriculture, and not to exceed \$75,000 for employment under 5 U.S.C. 3109, \$3,015,000: *Provided*, That not to exceed \$11,000 of this amount shall be available for official reception and representation expenses, not otherwise provided for, as determined by the Secretary: *Provided further*, That none of the funds appropriated or otherwise made available by this Act may be used to pay the salaries and expenses of personnel of the Department of Agriculture to carry out section 793(c)(1)(C) of Public Law 104-127: *Provided further*, That none of the funds made available by this Act may be used to enforce section 793(d) of Public Law 104-127.

AMENDMENT OFFERED BY MS. KAPTUR

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

The Clerk read as follows:

Amendment offered by Ms. KAPTUR:

In title I, under the heading "OFFICE OF THE SECRETARY" insert after the first dollar amount the following: "(reduced by \$1,700)".

In title V, under the heading "FOREIGN AGRICULTURAL SERVICE"—"SALARIES AND EXPENSES" insert after the second dollar amount the following: "(increased by \$1,700)".

Ms. KAPTUR (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

Ms. KAPTUR. Mr. Chairman, throughout the consideration of our bill at the subcommittee level and full committee level, we very, very much wanted to have a straightforward appropriation for continuation of the Global Food for Education program. Thus far we have been unable to achieve that in the base bill and have only been able to achieve report language that essentially says that we, as the Congress, expect that the Secretary of Agriculture will continue a program begun last year that is moving our surplus commodities and food commodities around the world to 38 countries, feeding over 9 million needy children. This program is a win-win for America's farmers and ranchers and definitely a win-win for hungry children around the world, including young girls who are encouraged to go to school and receive a decent ration in whatever country they might live.

Unfortunately, in the base bill, there is not \$300 million appropriated to continue this program straightforwardly. Rather, all we have is some language that says to the Secretary, "We think it's a great idea; we hope you can figure out a way to continue the program; and we expect you to continue the program."

The purpose of this amendment as drafted would be to symbolically take \$1,700 from the Secretary's own accounts and to make those available to the Foreign Agricultural Service. Now, we know \$1,700 is not a whole lot, you might be able to buy some stationery with that, but the number 1700 happens to be the number of the McGovern-Emerson bill, which is the bill that would permanently authorize this program for which we would appropriate necessary funds in any fiscal year.

Now, the program as it currently operates is having a tremendous impact around the world. In fact, there are some countries where organizations are now building schools, albeit humble schools, maybe thatched roof schools, where children are coming to receive this food. It has gotten tremendous support from so many of our non-governmental organizations, like Catholic Charities, like ACDI/VOCA, like Mercy Corps, like CARE, the very organizations that the World Food Program works through all across the world to feed those who are most in need.

So the purpose of this amendment as drafted really is to say, look, why are we involved in this budget charade of saying to the Congress: if we directly appropriate \$300 million, we can't do that because we break some sacrosanct budget rule here and, therefore, we can't appropriate real dollars. So we'll just put report language in the bill. Compare this to the other option that, well, if it goes over to the Secretary, she can spend the dollars out of the Commodity Credit Corporation and it doesn't score.

I do not think there is a person in my district that would understand this kind of budget charade. So the purpose of this amendment is really to draw attention to what is happening here and to say that a large number of our Members on this side of the aisle really want this program to have permanently appropriated dollars. We want to be able to do that as a House. We are handcuffed in the procedures allowed through subcommittee and full committee in order to achieve that.

It is not my intention to move forward with this amendment because I do not want to do a fig leaf. I want to do a real appropriation. But I want to use this amendment as a mechanism to allow others who support this program to speak and to, in the strongest language possible, let the administration know that we are serious. Quite frankly, as this bill moves to conference, it is my intention, working with some of my other colleagues, to bring this up in the other body.

Mrs. EMERSON. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise to enter into a colloquy with the gentleman from Texas (Mr. BONILLA) as well as the gentleman from Massachusetts (Mr. McGOVERN) and the gentlewoman from Ohio (Ms. KAPTUR) with regard to the continuation of the Global Food for Education Initiative.

Mr. Chairman, the Global Food for Education Initiative was implemented as a pilot program during fiscal year 2001. The Department of Agriculture used \$300 million of discretionary funds from the Commodity Credit Corporation to start this pilot program.

I have joined with the gentleman from Massachusetts (Mr. McGOVERN) and others in introducing the George McGovern-Robert Dole International Food for Education and Child Nutrition Act of 2001 so that we actually can authorize this program for a 5-year period. However, it is unlikely that this authorizing legislation will be approved in time to provide a seamless transition from the pilot to the authorized program for fiscal year 2002.

An amendment was offered to continue the pilot program at the current level of funding during our markup in the agriculture appropriations subcommittee, but we determined that, for lots of reasons, it would not be part of our bill today. However, I was pleased at the efforts of the gentleman from Texas to include language explaining

that the House of Representatives expects the Department of Agriculture to continue the GFEI pilot program in the fiscal year 2002.

Mr. Chairman, it is my hope that the committee supports the international school feeding programs. I would like to see the GFEI continued for the next fiscal year. Is it the gentleman from Texas' expectation that the Department of Agriculture will continue to fund this program at its current level in fiscal year 2002?

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

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

Mr. BONILLA. It is hard to speculate as to what the Department is going to do, but I can assure her that this is something that we are all concerned about. I know the gentlewoman from Ohio (Ms. KAPTUR) has worked on this as well, along with the gentleman from Massachusetts (Mr. McGOVERN), the gentleman from New York (Mr. WALSH), and others. The subcommittee included report language that encourages the Secretary to continue this program at the same level as the current fiscal year. Accordingly, I will be pleased to work with the gentlewoman to see that USDA continues a program they initiated administratively.

Mrs. EMERSON. I thank the gentleman.

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

Mrs. EMERSON. I yield to the gentleman from Massachusetts.

Mr. McGOVERN. First of all, I want to thank the gentlewoman from Missouri for yielding and for her incredible leadership on this issue; and I want to thank the gentleman from Texas for his work on this issue and for the strong language included in the fiscal year 2002 agriculture appropriations report. I appreciate the gentleman's words and his dedication to the continuation of this important program. I look forward to working with him and others on this committee to try to persuade Secretary Veneman to make sure that she does continue this program at the current level.

Mr. Chairman, I include for the RECORD a letter of support for this program co-signed by former Senators Bob Dole and George McGovern.

WASHINGTON, DC,
June 12, 2001.

Hon. C.W. YOUNG,
Chairman, House Appropriations Committee,
Washington, DC.

DEAR MR. CHAIRMAN: We would like to encourage you to ensure that funding continues for fiscal year 2002 for the President's Global Food for Education Initiative.

It would be tragic to initiate school feeding programs that benefit 9 million children, only to have those programs abruptly terminated.

We hope that you will support continuing funding for this program in fiscal year 2002 at the same levels as fiscal year 2001 when you consider the FY02 Agriculture Appropriations Bill in Committee this week.

Sincerely,

GEORGE McGOVERN.
BOB DOLE.

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

Mrs. EMERSON. I yield to the gentlewoman from Ohio.

Ms. KAPTUR. Mr. Chairman, I wanted to thank the gentlewoman from Missouri for her tremendous leadership on this issue and also the gentleman from Massachusetts, Mr. MCGOVERN. The two of them have been vigilant all through our efforts in subcommittee and full committee. I want to thank the gentleman from Texas, Mr. BONILLA, for trying to do as much as he could do. I would hope that we might even consider doing a joint letter to the Secretary as we move toward conference, if that is possible, in order that this program be given the serious attention that it demands at the Department of Agriculture. I want to thank all my colleagues for their tremendous efforts.

Also, I understand Senator Dole has gone through a bit of a procedure at the Cleveland Clinic recently. If he is watching this, I hope our remarks make him feel better. I also want to thank Senator MCGOVERN who has been such a stalwart supporter and innovator, a genius really on this program. We thank him for traveling up here recently to join us in a press conference in front of the Capitol. We hope in their stead here today that we do what is necessary to continue this program.

Mrs. EMERSON. I thank the gentlewoman from Ohio. The gentleman from Massachusetts and I thank the gentleman from Texas for his clarification on this issue.

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

Mr. Chairman, I would like to make a few observations about the conversation that we have just heard with respect to this proposal. I think the key words that Members ought to keep in mind were the words of the subcommittee chairman. When he was asked whether or not he did expect the Department to, in fact, continue this program, he correctly pointed out that it is always difficult to predict what any agency, including USDA, will do. That is precisely why, in my view, the committee should have adopted the amendment that we tried to have attached in full committee and why this House should have voted on it today.

□ 1515

Here is the situation that we face on this issue. We have had, for the past year, a pilot program going on which in essence takes the value of surplus food in this country and uses it to provide nutrition for young children abroad.

We have been asked by former Senator George McGovern and former Senator Bob Dole, who each on occasion was honored with the nomination of his party to the Presidency of the United States, we have been asked by both of them to continue the program and to make it a long-term commitment. That is something we ought to do.

I would submit that no one in the history of the Congress knows more about child nutrition than George McGovern and Bob Dole. They devoted a good deal of their life to seeing to it that children in this country were adequately nourished, and they are trying to also do something to recognize that we have responsibilities to people around the world who are not as fortunate as we are.

The problem we have is that when the gentlewoman from Ohio (Ms. KAPTUR) and others sought to offer the amendment, we were told if we offer the amendment and if we do that in this bill, then this bill will be scored and that will hurt us vis-a-vis the Budget Act.

I would simply say I think this is a sad example of how we have been tied up by some of the ludicrous accounting rules that get in the way of our achieving needed policy goals.

We are stuck in a battle of accountants and the lawyerly interpretation of what accountants tell us and, as a result, we are prevented from doing something which we obviously ought to do.

We have one problem. The agency has not decided to proceed. This Congress had a choice. It could tell the agency to get off the dime and proceed or it could pass the buck. For bookkeeping reasons, this Congress has decided to pass the buck. I think that is unfortunate. It seems to me that if the Congress had indicated today, through an amendment on this legislation, that we were directing them to proceed, the agency would have proceeded. We would then have not had the accounting problem and we could have, in fact, delivered on this program.

We have a simple choice. We have surplus commodities in this country. The question is, will the taxpayers be asked to pay money in order to store them or will they be asked to pay money in order to ship them so they can be used to provide nutrition for young children abroad who need them?

That is a win-win proposition, both for those kids and our farmers. It ought to also help our consciences as well, and I think it is indeed unfortunate that we have been prevented from offering the amendment today.

Ms. KAPTUR. Mr. Chairman, if the gentleman will yield, I reserve the right, as we move toward conference, to reinject this issue into the debate as we further perfect this bill.

Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

The CHAIRMAN. The amendment is withdrawn.

The Clerk will read.

The Clerk read as follows:

EXECUTIVE OPERATIONS

CHIEF ECONOMIST

For necessary expenses of the Chief Economist, including economic analysis, risk as-

essment, cost-benefit analysis, energy and new uses, and the functions of the World Agricultural Outlook Board, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1622g), and including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed \$5,000 is for employment under 5 U.S.C. 3109, \$7,704,000.

NATIONAL APPEALS DIVISION

For necessary expenses of the National Appeals Division, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed \$25,000 is for employment under 5 U.S.C. 3109, \$12,869,000.

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

Mr. Chairman, I rise to enter into a colloquy with the chairman of the committee. I had intended to offer an amendment today to provide funding to make it easier for students to purchase organic and whole foods in the school breakfast and lunch programs, but I will not offer my amendment today. I want to thank the gentleman from Texas (Mr. BONILLA), and the ranking member, the gentlewoman from Ohio (Ms. KAPTUR) for their support of my intention to assist schools in purchasing healthy foods for their school breakfast and lunch programs.

This would include organic, locally grown and fresh produce. At a time when our children's health is threatened by such conditions as obesity and type II diabetes, it is more important than ever to ensure that they have healthy options when they eat at school.

Currently, our tax dollars buy a high fat, high caffeine, fast food diet, which is turning into an extremely expensive public health problem. According to the Centers for Disease Control and Prevention, youth nutrition and obesity are an epidemic in the United States. The Healthy Farms and Healthy Kids Report states that the awful irony is that our multibillion dollar investment is yielding a multibillion dollar public health crisis in school-aged children while at the same time 85 percent of family farmers who are perched precariously on the edge of urban sprawl are threatened with extinction. In many school districts in my State of California and around the Nation, urban, rural, and suburban, it is a real challenge to serve fresh, ethnically diverse meals prepared on-site from whole ingredients obtained by local farms.

With the commitment from the schools and the community, things can be better. In my district, for example, in Berkeley, California, they are facilitating a district-wide food systems-based curriculum supporting garden classrooms and cooking programs in every school.

In Berkeley, local funding has allowed the schools to have a garden in every school, and they are opening fresh salad bars with organic and other fresh foods. So this will help our schools and our local farmers and, of course, our students. With large purchasers like schools, we believe we will

demonstrate that we can bring more healthy foods into our schools while lowering the costs but still supporting our farmers. So I would just like to ask the gentleman from Texas (Mr. BONILLA) for his help really in the future to secure funds to make it easier to get healthy foods from our farms to our children and to our schools, of course. I look forward to working with him and our ranking member, the gentlewoman from Ohio (Ms. KAPTUR), to ensure that this provision could possibly be contained in the final version of the fiscal year 2002 Agricultural Appropriations Act.

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

Ms. LEE. I yield to the gentleman from Texas.

Mr. BONILLA. Mr. Chairman, I would be happy to work with the gentlewoman from California (Ms. LEE) and the folks at USDA to provide some positive direction in this area. There is not a parent out there that is not concerned about good nutrition for children so I thank the gentlewoman for bringing this up and would look forward to again trying to direct USDA, somehow working with the gentlewoman on this issue of organic foods.

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

Ms. LEE. I yield to the gentlewoman from Ohio.

Ms. KAPTUR. Mr. Chairman, I just wanted to say to the gentlewoman from California (Ms. LEE) that I fully support her efforts. I think she has raised an exceedingly important issue for our country. Without question, the nutrition of our children will yield the health of the future generation. The high use of sugar and high fats in the diets of our youth are creating an untenable, extremely unhealthy situation in this country that even the Surgeon General has recognized.

One of the hardest challenges we face within the U.S. Department of Agriculture is to get the nutrition part of the agency, which has over half of its budget, to talk to the production side, which is the part the gentlewoman is talking about. That is producers, organic producers, small farmers, must be linked to our local school districts. This has been a tough job.

I really support the gentlewoman on her efforts. Her goals of helping our children, I think, are commendable and also getting the Department of Agriculture to see its responsibilities toward our youth by working with farmers who can provide that fresh product in fruits and vegetables, with ethnic and racial sensitivity at the most local of levels, which is where we all live.

So I look forward to working with the gentlewoman as we move the bill in the other body and hopefully we can strengthen this measure as we move forward. I thank the gentlewoman so very much for bringing up this very important issue today.

Ms. LEE. Mr. Chairman, I want to thank the chairman and our ranking

member for their colloquy and for their assistance and look forward to working with them. I come from an urban community. I look forward to working with our rural and suburban and urban legislators on this.

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

OFFICE OF BUDGET AND PROGRAM ANALYSIS

For necessary expenses of the Office of Budget and Program Analysis, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed \$5,000 is for employment under 5 U.S.C. 3109, \$7,041,000.

OFFICE OF THE CHIEF INFORMATION OFFICER

For necessary expenses of the Office of the Chief Information Officer, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed \$10,000 is for employment under 5 U.S.C. 3109, \$10,325,000.

COMMON COMPUTING ENVIRONMENT

For necessary expenses to acquire a Common Computing Environment for the Natural Resources Conservation Service, the Farm and Foreign Agricultural Service and Rural Development mission areas for information technology, systems, and services, \$59,369,000, to remain available until expended, for the capital asset acquisition of shared information technology systems, including services as authorized by 7 U.S.C. 6915-16 and 40 U.S.C. 1421-28: *Provided*, That obligation of these funds shall be consistent with the Department of Agriculture Service Center Modernization Plan of the county-based agencies, and shall be with the concurrence of the Department's Chief Information Officer.

OFFICE OF THE CHIEF FINANCIAL OFFICER

For necessary expenses of the Office of the Chief Financial Officer, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed \$10,000 is for employment under 5 U.S.C. 3109, \$5,384,000: *Provided*, That the Chief Financial Officer shall actively market and expand cross-servicing activities of the National Finance Center.

OFFICE OF THE ASSISTANT SECRETARY FOR ADMINISTRATION

For necessary salaries and expenses of the Office of the Assistant Secretary for Administration to carry out the programs funded by this Act, \$652,000.

AGRICULTURE BUILDINGS AND FACILITIES AND RENTAL PAYMENTS

(INCLUDING TRANSFERS OF FUNDS)

For payment of space rental and related costs pursuant to Public Law 92-313, including authorities pursuant to the 1984 delegation of authority from the Administrator of General Services to the Department of Agriculture under 40 U.S.C. 486, for programs and activities of the Department which are included in this Act, and for alterations and other actions needed for this Department and its agencies to consolidate unneeded space into configurations suitable for release to the Administrator of General Services, and for the operation, maintenance, improvement, and repair of Agriculture buildings, \$187,647,000, to remain available until expended: *Provided*, That in the event an agency within the Department should require modification of space needs, the Secretary of Agriculture may transfer a share of an agency's appropriation made available by this Act to this appropriation, or may transfer a share of this appropriation to an agency's appropriation to cover the costs of new

or replacement space for such agency, but such transfers shall not exceed 5 percent of the funds made available for space rental and related costs to or from this account.

HAZARDOUS MATERIALS MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Department of Agriculture, to comply with the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. 9601 et seq., and the Resource Conservation and Recovery Act, 42 U.S.C. 6901 et seq., \$15,665,000, to remain available until expended: *Provided*, That appropriations and funds available herein to the Department for Hazardous Materials Management may be transferred to any agency of the Department for its use in meeting all requirements pursuant to the above Acts on Federal and non-Federal lands.

DEPARTMENTAL ADMINISTRATION

(INCLUDING TRANSFERS OF FUNDS)

For Departmental Administration, \$37,398,000, to provide for necessary expenses for management support services to offices of the Department and for general administration and disaster management of the Department, repairs and alterations, and other miscellaneous supplies and expenses not otherwise provided for and necessary for the practical and efficient work of the Department, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed \$10,000 is for employment under 5 U.S.C. 3109: *Provided*, That this appropriation shall be reimbursed from applicable appropriations in this Act for travel expenses incident to the holding of hearings as required by 5 U.S.C. 551-558.

OUTREACH FOR SOCIALLY DISADVANTAGED FARMERS

For grants and contracts pursuant to section 2501 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279), \$2,993,000, to remain available until expended.

OFFICE OF THE ASSISTANT SECRETARY FOR CONGRESSIONAL RELATIONS

(INCLUDING TRANSFERS OF FUNDS)

For necessary salaries and expenses of the Office of the Assistant Secretary for Congressional Relations to carry out the programs funded by this Act, including programs involving intergovernmental affairs and liaison within the executive branch, \$3,718,000: *Provided*, That these funds may be transferred to agencies of the Department of Agriculture funded by this Act to maintain personnel at the agency level: *Provided further*, That no other funds appropriated to the Department by this Act shall be available to the Department for support of activities of congressional relations.

OFFICE OF COMMUNICATIONS

For necessary expenses to carry out services relating to the coordination of programs involving public affairs, for the dissemination of agricultural information, and the coordination of information, work, and programs authorized by Congress in the Department, \$8,975,000, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed \$10,000 shall be available for employment under 5 U.S.C. 3109, and not to exceed \$2,000,000 may be used for farmers' bulletins.

OFFICE OF THE INSPECTOR GENERAL

For necessary expenses of the Office of the Inspector General, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and the Inspector General Act of 1978,

\$71,429,000, including such sums as may be necessary for contracting and other arrangements with public agencies and private persons pursuant to section 6(a)(9) of the Inspector General Act of 1978, including not to exceed \$50,000 for employment under 5 U.S.C. 3109; and including not to exceed \$125,000 for certain confidential operational expenses, including the payment of informants, to be expended under the direction of the Inspector General pursuant to Public Law 95-452 and section 1337 of Public Law 97-98.

OFFICE OF THE GENERAL COUNSEL

For necessary expenses of the Office of the General Counsel, \$32,937,000.

OFFICE OF THE UNDER SECRETARY FOR RESEARCH, EDUCATION AND ECONOMICS

For necessary salaries and expenses of the Office of the Under Secretary for Research, Education and Economics to administer the laws enacted by the Congress for the Economic Research Service, the National Agricultural Statistics Service, the Agricultural Research Service, and the Cooperative State Research, Education, and Extension Service, \$578,000.

ECONOMIC RESEARCH SERVICE

For necessary expenses of the Economic Research Service in conducting economic research and analysis, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1621-1627) and other laws, \$67,620,000: *Provided*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225).

NATIONAL AGRICULTURAL STATISTICS SERVICE

For necessary expenses of the National Agricultural Statistics Service in conducting statistical reporting and service work, including crop and livestock estimates, statistical coordination and improvements, marketing surveys, and the Census of Agriculture, as authorized by 7 U.S.C. 1621-1627, Public Law 105-113, and other laws, \$114,546,000, of which up to \$25,456,000 shall be available until expended for the Census of Agriculture: *Provided*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$40,000 shall be available for employment under 5 U.S.C. 3109.

AGRICULTURAL RESEARCH SERVICE SALARIES AND EXPENSES

For necessary expenses to enable the Agricultural Research Service to perform agricultural research and demonstration relating to production, utilization, marketing, and distribution (not otherwise provided for); home economics or nutrition and consumer use including the acquisition, preservation, and dissemination of agricultural information; and for acquisition of lands by donation, exchange, or purchase at a nominal cost not to exceed \$100, and for land exchanges where the lands exchanged shall be of equal value or shall be equalized by a payment of money to the grantor which shall not exceed 25 percent of the total value of the land or interests transferred out of Federal ownership, \$971,365,000: *Provided*, That appropriations hereunder shall be available for temporary employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$115,000 shall be available for employment under 5 U.S.C. 3109: *Provided further*, That appropriations hereunder shall be available for the operation and maintenance of aircraft and the purchase of not to exceed one for replacement only: *Provided further*, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for the construction, alteration, and repair of build-

ings and improvements, but unless otherwise provided, the cost of constructing any one building shall not exceed \$375,000, except for greenhouses or greenhouses which shall each be limited to \$1,200,000, and except for 10 buildings to be constructed or improved at a cost not to exceed \$750,000 each, and the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building or \$375,000, whichever is greater: *Provided further*, That the limitations on alterations contained in this Act shall not apply to modernization or replacement of existing facilities at Beltsville, Maryland: *Provided further*, That appropriations hereunder shall be available for granting easements at the Beltsville Agricultural Research Center, including an easement to the University of Maryland to construct the Transgenic Animal Facility which upon completion shall be accepted by the Secretary as a gift: *Provided further*, That the foregoing limitations shall not apply to replacement of buildings needed to carry out the Act of April 24, 1948 (21 U.S.C. 113a): *Provided further*, That funds may be received from any State, other political subdivision, organization, or individual for the purpose of establishing or operating any research facility or research project of the Agricultural Research Service, as authorized by law.

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

In fiscal year 2002, the agency is authorized to charge fees, commensurate with the fair market value, for any permit, easement, lease, or other special use authorization for the occupancy or use of land and facilities (including land and facilities at the Beltsville Agricultural Research Center) issued by the agency, as authorized by law, and such fees shall be credited to this account, and shall remain available until expended for authorized purposes.

AMENDMENT NO. 24 OFFERED BY MR. TIERNEY

Mr. TIERNEY. Mr. Chairman, I offer amendment No. 24.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 24 offered by Mr. TIERNEY: In title I, under the heading "AGRICULTURAL RESEARCH SERVICE-SALARIES AND EXPENSES", insert at the end the following:

SEC. —. REPORT REGARDING GENETICALLY ENGINEERED FOODS.

(a) IN GENERAL.—Not later than one year after funds are made available to carry out this section, the Secretary of Agriculture, acting through the National Academy of Sciences, shall complete and transmit to Congress a report that includes recommendations for the following:

(1) DATA AND TESTS.—The type of data and tests that are needed to sufficiently assess and evaluate human health risks from the consumption of genetically engineered foods.

(2) MONITORING SYSTEM.—The type of Federal monitoring system that should be created to assess any future human health consequences from long-term consumption of genetically engineered foods.

(3) REGULATIONS.—A Federal regulatory structure to approve genetically engineered foods that are safe for human consumption.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of Agriculture \$500,000 to carry out this section.

Mr. BONILLA. Mr. Chairman, I reserve a point of order on this amendment.

The CHAIRMAN. The point of order is reserved.

Mr. TIERNEY. Mr. Chairman, there is probably no more important responsibility for a government than to protect the well-being of its citizens. For this reason, it is essential that we properly assess the best way to ensure the health safety of genetically engineered foods.

This amendment presented at the desk seeks a National Academy of Sciences study to examine three important health-related aspects of genetically engineered foods. One, whether or not the tests being performed on genetically engineered foods really ensure their health safety and whether or not they are adequate and relevant; two, what type of monitoring system is needed to assess future health consequences from genetically engineered foods; and, lastly, what type of regulatory structure should be in place to approve genetically engineered foods for humans to eat.

In the year 2000, more than 100 million acres of land around the world were planted with genetically engineered crops. This is 25 times as much as was planted just 4 years before. In fact, genetically engineered food crops planted and marketed by United States farmers include 45 kinds of corn, canola, tomatoes, potatoes, soybeans, and sunflowers.

Today, genetically engineered ingredients are found in virtually all of our foods that are sold on supermarket shelves; and that includes baby foods, potato chips, soda, and vegetables.

Despite the growing presence of genetically engineered foods and despite industry assertions that the foods are safe to eat, the public remains unconvinced. The discovery last year of genetically engineered Starlink corn that was not approved for humans to eat in taco shells was a wake-up call. Now that the cat is out of the bag, Starlink's manufacturers want the Environmental Protection Agency to declare Starlink safe for human consumption.

Mr. Chairman, that is no way to protect our health. As the Centers for Disease Control noted earlier this month, we need to properly evaluate genetically engineered foods before they get into the food supply. In my home State of Massachusetts, the State legislature is considering legislation that would impose a 5-year moratorium on the growing of genetically engineered foods. Similar legislation is pending in New York. In fact, according to the Grocery Manufacturers of America, as of March this year there were eight bills in six States that would ban or put a moratorium on the planting of genetically engineered crops.

We cannot afford to bury our heads in the sand and let the public's concerns continue to grow. We need to develop a standard of tests that can be applied to all genetically engineered food to ensure that it is safe for our children and ourselves to eat.

□ 1530

The Food and Drug Administration does not conduct its own testing of genetically engineered products. Instead, the Food and Drug Administration provides guidelines and then relies upon the companies who produce genetically engineered products to test their safety. Companies voluntarily share the results of the tests on genetically engineered products with the Food and Drug Administration.

Under new rules proposed on January 17 by the last administration, companies in the future will have to give 120 days' notice to the Food and Drug Administration before producing new genetically engineered products on the market. But even with these new rules, it remains the responsibility of the companies that create the market and market these products to test for their safety. We need to be sure that these companies are doing the right tests in the right way.

In addition to ensuring that testing methods are adequate, we need to ensure that our regulatory system is also sufficient to protect our health. The National Academy of Sciences has said, "A solid regulatory system and scientific base are important for acceptance and safe adoption of agricultural biotechnology, as well as for protecting the environment and public health."

Our current regulatory system, in which the Food and Drug Administration, the Environmental Protection Agency, and the United States Department of Agriculture share jurisdiction over genetically engineered food, may not be the best way to ensure the health and safety of the foods we eat. We need to be certain that testing, regulation and monitoring of genetically engineered foods over the long term are effective and appropriate in determining the potential health effects of eating genetically engineered foods.

Even the center for Science in the Public Interest, an organization devoted to improving the safety and nutritional quality of our food supply, has said that the National Academy of Sciences study would provide regulators with a scientific road map of tests to ensure the safety of genetically engineered foods so the consumers would feel secure when they consume them and farmers would be confident that they have a market for their products.

I think that is what we are looking for, Mr. Chairman. We want consumers to feel secure when they eat, and we want farmers to be confident when they market their products. We should heed the words from that study, and we should fund the study proposed in this amendment.

Mr. Chairman, I thank the chairman for his attention.

The CHAIRMAN. Does the gentleman from Texas (Mr. BONILLA) insist upon his point of order?

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

The CHAIRMAN. The gentleman continues to insist on his point of order.

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

Mr. Chairman, I rise in support of the Tierney amendment. I think the gentleman from Massachusetts raises an excellent point about the need for further study. The truth is that in 1999, over 100 million acres of genetically engineered crops were planted in this country, and the consumption of genetically engineered crops is happening. Yet we really do not have much information about the effects; we really do not know much about how this might have some implications for public health. That is why many States are starting to look at this quite critically, and the issues that are raised here certainly merit more study.

I think the gentleman from Massachusetts (Mr. TIERNEY) should be congratulated for raising this issue and for asking for a more thorough review of this. I can say that I think most people in this country would support such a call. People are concerned about the food they eat, and they are certainly concerned about any new technology which may, in one way or another, change the functional characteristics of the food, as well as the properties of the food and the way in which the food interacts in the human medium.

So I want to thank the gentleman from Massachusetts (Mr. TIERNEY) for his work.

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

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

Mr. TIERNEY. Mr. Chairman, I would hope that the chairman would just know, this is the second year we have presented this motion; and I think it is a pretty balanced motion.

We are seeking here to both give consumers confidence, that the gentleman from Ohio points out very clearly is a very big concern for people; but we also are trying to make sure that farmers know that they can go to the market with confidence. It is going to do us no good in terms of the economics of our society to have a bunch of farmers that are creating a product in which the consumers have no confidence, so there is no market there.

This particular amendment was a hope to strike the point where we get the National Academy of Science to determine for us what is the best testing regime, what is the best way to monitor this as it goes through, and what is the best way to make sure that we have a regulatory structure to give the confidence at both of those levels.

Mr. KUCINICH. Mr. Chairman, reclaiming my time, the gentleman is correct on that. As a matter of fact, American farmers are quite concerned about the impact of genetically engineered products on their markets, because if their markets begin to dry up, as they have in some countries, then American farmers are not able to sell what we know is the best agriculture in the world, here from America. But if the products are genetically engi-

neered, if there has not been much study and there is concern about quality, safety and other things, then our farmers can endure economic loss.

So I want to again thank the gentleman from Massachusetts (Mr. TIERNEY) for raising this issue, and I hope that the gentleman would respectfully consider his amendment as being in order.

The CHAIRMAN. Does the gentleman from Texas (Mr. BONILLA) still insist on his point of order?

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

The CHAIRMAN. The gentleman continues to reserve his point of order.

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

Mr. Chairman, I commend the gentlemen for their interest in providing wholesome food. It is important. I would like to point out, however, that regarding the Starlink corn question, it has now been certified that there has been no ill effects to humans. That is good news.

I would like to also point out that, because we have been cross-breeding for 1,000 years, every food item that we buy in a store, except a couple varieties of fish, have been genetically modified. This has happened simply because farmers have been looking for ways to improve the quality and cost of food.

I think it is very important that we continue our scientific effort with this new technology of genetic modification. We must also consider the importance of its tremendous potential in developing better food products and more healthy products. We can develop food products that have vaccines. Also, especially in the developing countries of this world, we now have the potential of developing the kind of plants and seeds that can grow in those arid soils or those other types of climatic conditions where they could not grow food before. So we need to proceed in our scientific research.

Just a point before I yield for a comment. We have the best regulatory system in the world in terms of our oversight of genetically engineered products. Between the United States Department of Agriculture, the Food and Drug Administration and the Environmental Protection Agency, we now have the ability to review, regulate and test these products that are coming to market to assure safety.

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

Mr. SMITH of Michigan. I yield to the gentleman from Massachusetts.

Mr. TIERNEY. I might respectfully just disagree with the gentleman on the last point, as I think the National Academy of Science does, when they indicated that they think this idea of having three different agencies with overlapping and different responsibilities would be better served to look at what other kind of regulatory structure we could put in place that would give us more confidence.

Also I want to draw a point on the study the gentleman talked about on Starlink. One, I think we want that kind of information before the problem arises, and that is partly why I filed this bill; and, secondly, there is still some controversy swirling around the study the gentleman talked about and the results of it.

I suspect from the gentleman's comments and the importance he puts on genetically engineered foods that he favors my bill, which would be a confidence building measure, if we set up the right kinds of test that people could have confidence in, if we set up the right kind of monitoring system that people would know would be something we could rely on, and if we had the right kind of regulatory structure, it would benefit people that take the gentleman's position, as well as people that might be skeptical or more on that.

The idea is to follow the advice of the National Academy and do just that. Let them give us the advice through this study that I propose, to tell us what would be the best testing regime, how would you monitor it, and how would you regulate it.

Mr. SMITH of Michigan. Mr. Chairman, reclaiming my time, I think it is important, and I hope everyone agrees, that we have to depend on scientific information and testing, and not emotions, to be the basis of the decisions we make.

Mr. TIERNEY. Mr. Chairman, at this point in time I understand the gentleman's objections on technical matters on this, and I ask unanimous consent to withdraw the amendment.

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

There was no objection.

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

BUILDINGS AND FACILITIES

For acquisition of land, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities as necessary to carry out the agricultural research programs of the Department of Agriculture, where not otherwise provided, \$78,862,000, to remain available until expended (7 U.S.C. 2209b): *Provided*, That funds may be received from any State, other political subdivision, organization, or individual for the purpose of establishing any research facility of the Agricultural Research Service, as authorized by law.

COOPERATIVE STATE RESEARCH, EDUCATION, AND EXTENSION SERVICE

RESEARCH AND EDUCATION ACTIVITIES

For payments to agricultural experiment stations, for cooperative forestry and other research, for facilities, and for other expenses, \$507,452,000, as follows: to carry out the provisions of the Hatch Act (7 U.S.C. 361a-i), \$180,148,000; for grants for cooperative forestry research (16 U.S.C. 582a-a7), \$21,884,000; for payments to the 1890 land-grant colleges, including Tuskegee University (7 U.S.C. 3222), \$32,604,000, of which \$998,000 shall be made available to West Virginia State College in Institute, West Virginia; for special grants for agricultural research (7 U.S.C. 450i(c)), \$82,409,000; for spe-

cial grants for agricultural research on improved pest control (7 U.S.C. 450i(c)), \$15,721,000; for competitive research grants (7 U.S.C. 450i(b)), \$105,767,000; for the support of animal health and disease programs (7 U.S.C. 3195), \$5,098,000; for supplemental and alternative crops and products (7 U.S.C. 3319d), \$950,000; for grants for research pursuant to the Critical Agricultural Materials Act of 1984 (7 U.S.C. 178) and section 1472 of the Food and Agriculture Act of 1977 (7 U.S.C. 3318), \$639,000, to remain available until expended; for the 1994 research program (7 U.S.C. 301 note), \$998,000, to remain available until expended; for higher education graduate fellowship grants (7 U.S.C. 3152(b)(6)), \$2,993,000, to remain available until expended (7 U.S.C. 2209b); for higher education challenge grants (7 U.S.C. 3152(b)(1)), \$4,340,000; for a higher education multicultural scholars program (7 U.S.C. 3152(b)(5)), \$998,000, to remain available until expended (7 U.S.C. 2209b); for an education grants program for Hispanic-serving Institutions (7 U.S.C. 3241), \$3,492,000; for a program of noncompetitive grants, to be awarded on an equal basis, to Alaska Native-serving and Native Hawaiian-serving Institutions to carry out higher education programs (7 U.S.C. 3242), \$2,993,000; for a secondary agriculture education program and 2-year post-secondary education (7 U.S.C. 3152(h)), \$1,000,000; for aquaculture grants (7 U.S.C. 3322), \$3,991,000; for sustainable agriculture research and education (7 U.S.C. 5811), \$12,000,000; for a program of capacity building grants (7 U.S.C. 3152(b)(4)) to colleges eligible to receive funds under the Act of August 30, 1890 (7 U.S.C. 321-326 and 328), including Tuskegee University, \$9,479,000, to remain available until expended (7 U.S.C. 2209b); for payments to the 1994 Institutions pursuant to section 534(a)(1) of Public Law 103-382, \$1,549,000; and for necessary expenses of Research and Education Activities, of which not to exceed \$100,000 shall be for employment under 5 U.S.C. 3109, \$18,399,000.

AMENDMENT NO. 22 OFFERED BY MR. SMITH OF MICHIGAN

Mr. SMITH of Michigan. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 22 offered by Mr. SMITH of Michigan:

In title I under the heading "COOPERATIVE STATE RESEARCH, EDUCATION, AND EXTENSION SERVICE"—"RESEARCH AND EDUCATION ACTIVITIES" insert after the dollar amount relating to "competitive research grants (7 U.S.C. 450i(b))" the following: ", including grants for authorized competitive research programs regarding enhancement of the nitrogen-fixing ability and efficiency of plants".

Mr. SMITH of Michigan. Mr. Chairman, briefly, what this amendment does is to include research to increase the efficiency of nitrogen fixation from plants.

We have a situation where the nitrogen fertilizer of this country is made out of natural gas. It is estimated that 3 to 6 percent of the natural gas produced in the United States is used to produce nitrogen. Farmers use that nitrogen fertilizer and therefore natural gas. If plants could do a better job of fixing "N" in the soil, we would save energy and reduce the cost to farmers.

This simply says let us include in our research effort research into the fixation of nitrogen. We now have plants

that can put nitrogen back into the soil. We have started on this research. We need to move ahead. It is part of the whole renewable energy effort that we need to consider.

I thank the chairman and ranking member for supporting the amendment.

Mr. Chairman, I have an amendment today that would address the challenge of increased farm input costs due to continued high energy prices. Specifically, the amendment would direct the Cooperative State Research, Education, and Extension Service (CSREES) Competitive Grants Program, better known as the National Research Initiative, to include grants for research into improving nitrogen-fixation ability of crop plants.

As we are aware, higher energy costs over the last two crop years have further stressed farmers facing an extended period of low commodity prices. From 1999 to 2000, U.S. producers incurred an additional \$2.4 billion in fuel costs. In the 2001 crop year, energy costs are expected to increase an additional \$1.5 billion for farmers. As a result, agricultural bottom lines continue to suffer, and many farmers have gone out of business, despite increasing government support.

While we work to accomplish the larger goals set forth in the President's comprehensive energy plan, I think we should also be sure that no stone is left uncovered with respect to finding new ways to improve our energy usage and consumption. One area where I believe there is great potential for improvements is the reduction of fertilizer input costs on farms through greater nitrogen fixation ability.

In the United States, nitrogen fertilizer production and use requires 3 to 6 percent of the country's natural gas production. Natural gas prices and nitrogen fertilizer prices are closely related, with over 70 percent of the cost of N fertilizer attributable to natural gas. The tripling of natural gas prices last winter highlights this relationship, as nitrogen fertilizer costs skyrocketed over 350 percent. This huge increase obviously left farmers scrambling to modify planting decisions and find other ways to cut fertilizer input costs.

One way that we can do this is by developing plants that put nitrogen in the soil. For example, in a typical soybean-corn rotation—if we can develop new varieties of soybeans that fix greater amounts of nitrogen, more residual nitrogen would remain for the following corn crop, lessening the amount of nitrogen fertilizer that would need to be purchased by the producer.

Recent research indicates that significant potential for improvements exist in this area, but currently, a very limited amount of research is being done on these issues. My amendment would ensure that USDA's National Research Initiative Competitive Research Grants support research into enhancing the nitrogen fixing ability and efficiency of plants.

I believe that making this type of agricultural research a priority will pay great and lasting dividends to farmers facing continued challenges of high energy input costs, and I urge the members to support my amendment.

Note: Currently, USDA-ARS is spending \$3.05 million in FY'01 to fund N-fixing projects. USDA-CSREES/NRI is also funding N-fixing projects, but have not reported back the total amount being spent.

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

Mr. SMITH of Michigan. I yield to the gentleman from Texas.

Mr. BONILLA. Mr. Chairman, we support the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan (Mr. Smith).

The amendment was agreed to.

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

Mr. Chairman, I come to the floor today on behalf of all the farmers and ranchers in Utah and other western States who are dealing with the devastating outbreaks of Mormon Crickets and grasshoppers. This outbreak, now under declaration of emergency by the Governor of Utah, is considered to be the worst in over 60 years and is spreading over 1.5 million acres.

These insects, which breed undisturbed and untreated on the vast acres of BLM and Forest Service land and then spread to neighboring State and private land, are devouring the crops and rangeland to the tune of what is expected to be at least \$25 million worth of damage.

However, this is not all. In Oak City, Utah, for example, the mayor informs me that the crickets have now inundated the community water system at the sealed collection boxes and tanks. They are now moving into towns, where people are attempting to burn their fruit trees to keep them away from their homes, and children are kept indoors.

Line-item funding has been eliminated, and formerly available funds from previous years have all been expended in battling these insects. The plight of these lands has become such a critical concern, that I have asked our Subcommittee on Public Lands to hold oversight hearings on this issue next month. Timely and adequate funding has been a continual issue for us.

While I understand there are not any line-item funds for Mormon Cricket and grasshopper treatment in this bill as it stands today, I understand the chairman is aware of the problem we are facing and has committed to ensure there is sufficient APHIS funds for the 2002 fiscal year specific to Mormon Cricket and grasshopper treatment, as well as working with us to ensure the Secretary addresses our emergency problems with contingency funds.

I thank the chairman and look forward to working with him and obtaining emergency funds.

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

Mr. HANSEN. I yield to the gentleman from Texas.

Mr. BONILLA. Mr. Chairman, I thank my friend for yielding. I appreciate the hard work that the gentleman has undertaken on this issue. I know it is a very serious problem.

The committee and this chairman are aware of the emergency conditions that exist in Utah and throughout the Great Basin region caused by the Mor-

mon Crickets. The gentleman from Utah has my commitment to ensure that proper funding for this problem is obtained in a timely manner this year and that specific funding for addressing the Mormon Cricket and grasshopper problem is identified to meet future needs in the FY 2002 bill.

Mr. HANSEN. Mr. Chairman, reclaiming my time, I thank the chairman and appreciate his help on this critical matter and look forward to addressing this issue in conference and with the Secretary's help.

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

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

Mr. GEORGE MILLER of California. Mr. Chairman, I rise in support of ensuring that all warm-blooded animals used in research receive the protection for which the Animal Welfare Act entitles them, and therefore oppose the language that has been included in the bill before us which will continue to deny those protections to those species that constitute the majority of the animals used in research.

In 1970, the Congress specifically amended the Animal Welfare Act to provide for the protections of all warm-blooded animals used in experiments. Since then, however, the U.S. Department of Agriculture has unfairly and illegally denied those modest safeguards to a majority of the research animals, over 20 million birds, rats, and mice used each year.

When Congress amended the law, we certainly did not intend to exclude 95 percent of the animals used in research. This is confirmed by our esteemed former colleague from the other body, Senator Bob Dole, who, along with my great friend, the late Congressman George Brown, further improved the treatment of lab animals in 1985.

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I wish to enter into the RECORD the letter from Senator Dole on this subject.

To correct this 30-year-old wrong, USDA committed the beginning of the rulemaking process to extend the Animal Welfare Act regulations to these animals. I am disappointed that the Agriculture Appropriations Subcommittee chose to add language that prohibits USDA from going forward with this rulemaking which is long overdue. The scientific community must be held accountable to the public for its treatment of animals. The American public expects animal research to be conducted as humanely as possible. We in Congress cannot assure them that if we not only allow, but also encourage, USDA to exclude the majority of research animals from this law's protection.

Mr. Chairman, I urge that this language be stricken in the conference committee between the House and the Senate.

The letter referred to previously follows:

WASHINGTON, DC,
March 19, 2001.

JOHN MCARDLE,
Director, Alternatives Research and Development Foundation, Eden Prairie, MN.

DEAR DR. MCARDLE: Thank you for your letter of March 1st regarding the current status of laboratory animals under the Animal Welfare Act (AWA).

I support the use of animals in research but firmly believe that there is a responsibility incumbent upon researchers to provide basic protections to the animals they use. It is obvious that good animal care is essential to ensuring good quality research. Through good animal treatment and minimizing painful tests, biomedical research gains in both accuracy and humanity.

As someone deeply involved with the process of revising and expanding the provisions of the AWA, I assure you that the AWA was meant to include birds, mice, and rats. When Congress stated that the AWA applied to "all warm-blooded animals," we certainly did not intend to exclude 95 percent of the animals used in biomedical research laboratories. Although the National Institutes of Health and the Association for Assessment and Accreditation of Laboratory Animal Care International provide oversight for some of the birds, mice, and rats used for experimentation, many research institutions fall outside their purview. With AWA regulations soon extended to these animals, I believe USDA, with its substantial experience in enforcement, is best suited to ensuring humane care for all laboratory animals. Moreover, neither NIH's policy nor voluntary accreditation includes legal consequences for failure to perform. The Animal Welfare Act does. That is the heart of the law.

I am aware of efforts by opponents of animal welfare to prevent coverage of birds, mice, and rats as detrimental to research. This notion is preposterous. A similar strategy was employed by opponents of my 1985 amendments to the Act. I am happy to observe that none of their predications about the dire consequences for research ever materialized.

Indeed, those amendments have facilitated significant improvements in laboratory animal care and use, which in turn have benefited research. In fact, I understand that those members of the research community best informed about laboratory animals support the inclusion of birds, mice, and rats. From their work on the front lines, they recognize, as you and I do, that uniform protections not only are humane, but also ensure consistent experimental results and level the playing field in vital scientific research. Those who oppose USDA's efforts to fulfill its court settlement with your organization, I believe, are overlooking the long-term benefits to crafting better science.

We owe much to laboratory animals—that were true in 1985 and is truer today. I would hope that the Bush Administration and Members of the present Congress, some of whom stood with me in 1985 in advancing my amendments, will recognize that all animals used in experimentation deserve the benefit of the modest requirements of the Animal Welfare Act. I would urge them to allow USDA to achieve this end by pursuing a full and fair rulemaking as provided in the settlement agreement.

I wish you the best of luck not only in defending the Animal Welfare Act, but also in your ongoing efforts to advance humane methods of biomedical research.

Let me add that I am writing to you as a volunteer. I am not being paid by any persons or group for stating my views.

Sincerely,

BOB DOLE.

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

None of the funds in the foregoing paragraph shall be available to carry out research related to the production, processing or marketing of tobacco or tobacco products: *Provided*, That this paragraph shall not apply to research on the medical, biotechnological, food, and industrial uses of tobacco.

NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

For the Native American Institutions Endowment Fund authorized by Public Law 103-382 (7 U.S.C. 301 note), \$7,100,000.

EXTENSION ACTIVITIES

For payments to States, the District of Columbia, Puerto Rico, Guam, the Virgin Islands, Micronesia, Northern Marianas, and American Samoa, \$436,029,000, as follows: payments for cooperative extension work under the Smith-Lever Act, to be distributed under sections 3(b) and 3(c) of said Act, and under section 208(c) of Public Law 93-471, for retirement and employees' compensation costs for extension agents and for costs of penalty mail for cooperative extension agents and State extension directors, \$275,940,000; payments for extension work at the 1994 Institutions under the Smith-Lever Act (7 U.S.C. 343(b)(3)), \$3,273,000; payments for the nutrition and family education program for low-income areas under section 3(d) of the Act, \$58,566,000; payments for the pest management program under section 3(d) of the Act, \$10,759,000; payments for the farm safety program under section 3(d) of the Act, \$5,800,000; payments to upgrade research, extension, and teaching facilities at the 1890 land-grant colleges, including Tuskegee University, as authorized by section 1447 of Public Law 95-113 (7 U.S.C. 3222b), \$12,173,000, to remain available until expended; payments for the rural development centers under section 3(d) of the Act, \$906,000; payments for youth-at-risk programs under section 3(d) of the Act, \$8,481,000; for youth farm safety education and certification extension grants, to be awarded competitively under section 3(d) of the Act, \$499,000; payments for carrying out the provisions of the Renewable Resources Extension Act of 1978, \$3,185,000; payments for Indian reservation agents under section 3(d) of the Act, \$1,996,000; payments for sustainable agriculture programs under section 3(d) of the Act, \$5,000,000; payments for rural health and safety education as authorized by section 2390 of Public Law 101-624 (7 U.S.C. 2661 note, 2662), \$2,622,000; payments for cooperative extension work by the colleges receiving the benefits of the second Morrill Act (7 U.S.C. 321-326 and 328) and Tuskegee University, \$28,181,000, of which \$998,000 shall be made available to West Virginia State College in Institute, West Virginia; and for Federal administration and coordination including administration of the Smith-Lever Act, and the Act of September 29, 1977 (7 U.S.C. 341-349), and section 1361(c) of the Act of October 3, 1980 (7 U.S.C. 301 note), and to coordinate and provide program leadership for the extension work of the Department and the several States and insular possessions, \$18,648,000: *Provided*, That funds hereby appropriated pursuant to section 3(c) of the Act of June 26, 1953, and section 506 of the Act of June 23, 1972, shall not be paid to any State, the District of Columbia, Puerto Rico, Guam, or the Virgin Islands, Micronesia, Northern Marianas, and American Samoa prior to availability of an equal sum from non-Federal sources for expenditure during the current fiscal year.

INTEGRATED ACTIVITIES

For the integrated research, education, and extension competitive grants programs, including necessary administrative expenses,

as authorized under section 406 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7626), \$43,355,000, as follows: payments for the water quality program, \$12,971,000; payments for the food safety program, \$14,967,000; payments for the national agriculture pesticide impact assessment program, \$4,531,000; payments for the Food Quality Protection Act risk mitigation program for major food crop systems, \$4,889,000; payments for the crops affected by Food Quality Protection Act implementation, \$1,497,000; payments for the methyl bromide transition program, \$2,500,000; and payments for the organic transition program, \$2,000,000.

OFFICE OF THE UNDER SECRETARY FOR MARKETING AND REGULATORY PROGRAMS

For necessary salaries and expenses of the Office of the Under Secretary for Marketing and Regulatory Programs to administer programs under the laws enacted by the Congress for the Animal and Plant Health Inspection Service; the Agricultural Marketing Service; and the Grain Inspection, Packers and Stockyards Administration; \$660,000.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

SALARIES AND EXPENSES
(INCLUDING TRANSFERS OF FUNDS)

For expenses, not otherwise provided for, including those pursuant to the Act of February 28, 1947 (21 U.S.C. 114b-c), necessary to prevent, control, and eradicate pests and plant and animal diseases; to carry out inspection, quarantine, and regulatory activities; to discharge the authorities of the Secretary of Agriculture under the Acts of March 2, 1931 (46 Stat. 1468) and December 22, 1987 (101 Stat. 1329-1331) (7 U.S.C. 426-426c); and to protect the environment, as authorized by law, \$587,386,000, of which \$4,096,000 shall be available for the control of outbreaks of insects, plant diseases, animal diseases and for control of pest animals and birds to the extent necessary to meet emergency conditions: *Provided*, That no funds shall be used to formulate or administer a brucellosis eradication program for the current fiscal year that does not require minimum matching by the States of at least 40 percent: *Provided further*, That this appropriation shall be available for field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$40,000 shall be available for employment under 5 U.S.C. 3109: *Provided further*, That this appropriation shall be available for the operation and maintenance of aircraft and the purchase of not to exceed four, of which two shall be for replacement only: *Provided further*, That, in addition, in emergencies which threaten any segment of the agricultural production industry of this country, the Secretary may transfer from other appropriations or funds available to the agencies or corporations of the Department such sums as may be deemed necessary, to be available only in such emergencies for the arrest and eradication of contagious or infectious disease or pests of animals, poultry, or plants, and for expenses in accordance with the Act of February 28, 1947, and section 102 of the Act of September 21, 1944, and any unexpended balances of funds transferred for such emergency purposes in the preceding fiscal year shall be merged with such transferred amounts: *Provided further*, That appropriations hereunder shall be available pursuant to law (7 U.S.C. 2250) for the repair and alteration of leased buildings and improvements, but unless otherwise provided the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

In fiscal year 2002 the agency is authorized to collect fees to cover the total costs of providing technical assistance, goods, or services requested by States, other political subdivisions, domestic and international organizations, foreign governments, or individuals, provided that such fees are structured such that any entity's liability for such fees is reasonably based on the technical assistance, goods, or services provided to the entity by the agency, and such fees shall be credited to this account, to remain available until expended, without further appropriation, for providing such assistance, goods, or services.

Of the total amount available under this heading in fiscal year 2002, \$84,813,000 shall be derived from user fees deposited in the Agricultural Quarantine Inspection User Fee Account.

BUILDINGS AND FACILITIES

For plans, construction, repair, preventive maintenance, environmental support, improvement, extension, alteration, and purchase of fixed equipment or facilities, as authorized by 7 U.S.C. 2250, and acquisition of land as authorized by 7 U.S.C. 428a, \$7,189,000, to remain available until expended.

AGRICULTURAL MARKETING SERVICE
MARKETING SERVICES

For necessary expenses to carry out services related to consumer protection, agricultural marketing and distribution, transportation, and regulatory programs, as authorized by law, and for administration and coordination of payments to States, including field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225) and not to exceed \$90,000 for employment under 5 U.S.C. 3109, \$71,774,000, including funds for the wholesale market development program for the design and development of wholesale and farmer market facilities for the major metropolitan areas of the country: *Provided*, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

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

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed \$60,596,000 (from fees collected) shall be obligated during the current fiscal year for administrative expenses: *Provided*, That if crop size is understated and/or other uncontrollable events occur, the agency may exceed this limitation by up to 10 percent with notification to the Committees on Appropriations of both Houses of Congress.

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

(INCLUDING TRANSFERS OF FUNDS)

Funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), shall be used only for commodity program expenses as authorized therein, and other related operating expenses, except for: (1) transfers to the Department of Commerce as authorized by the Fish and Wildlife Act of August 8, 1956; (2) transfers otherwise provided in this Act; and (3) not more than \$13,995,000 for formulation and administration of marketing agreements and orders pursuant to the Agricultural Marketing Agreement Act of 1937 and the Agricultural Act of 1961.

PAYMENTS TO STATES AND POSSESSIONS

For payments to departments of agriculture, bureaus and departments of markets, and similar agencies for marketing activities under section 204(b) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1623(b)), \$1,347,000.

GRAIN INSPECTION, PACKERS AND STOCKYARDS
ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of the United States Grain Standards Act, for the administration of the Packers and Stockyards Act, for certifying procedures used to protect purchasers of farm products, and the standardization activities related to grain under the Agricultural Marketing Act of 1946, including field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$25,000 for employment under 5 U.S.C. 3109, \$33,117,000: *Provided*, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

INSPECTION AND WEIGHING SERVICES

Not to exceed \$42,463,000 (from fees collected) shall be obligated during the current fiscal year for inspection and weighing services: *Provided*, That if grain export activities require additional supervision and oversight, or other uncontrollable factors occur, this limitation may be exceeded by up to 10 percent with notification to the Committees on Appropriations of both Houses of Congress.

OFFICE OF THE UNDER SECRETARY FOR FOOD
SAFETY

For necessary salaries and expenses of the Office of the Under Secretary for Food Safety to administer the laws enacted by the Congress for the Food Safety and Inspection Service, \$481,000.

Mr. BONILLA (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 25, line 1, be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

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

FOOD SAFETY AND INSPECTION SERVICE

For necessary expenses to carry out services authorized by the Federal Meat Inspection Act, the Poultry Products Inspection Act, and the Egg Products Inspection Act, including not to exceed \$50,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), \$720,652,000, and in addition, \$1,000,000 may be credited to this account from fees collected for the cost of laboratory accreditation as authorized by section 1017 of Public Law 102-237: *Provided*, That this appropriation shall be available for field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$75,000 shall be available for employment under 5 U.S.C. 3109: *Provided further*, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

AMENDMENT OFFERED BY MS. DELAURO

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

The Clerk read as follows:

Amendment offered by Ms. DELAURO:

In title I, in the item relating to "FOOD SAFETY AND INSPECTION SERVICE", insert at the end the following:

In addition, for the Food Safety and Inspection Service to improve food safety and reduce the incidence of foodborne illnesses, \$50,000,000: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That such amount shall be available only to the extent that an official budget request, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, is transmitted by the President to the Congress.

In title VI, in the item relating to "FOOD AND DRUG ADMINISTRATION—SALARIES AND EXPENSES", insert at the end the following:

In addition, for the Food and Drug Administration to improve food safety and reduce the incidence of foodborne illnesses, \$163,000,000: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That such amount shall be available only to the extent that an official budget request, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, is transmitted by the President to the Congress.

Ms. DELAURO (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. BONILLA. Mr. Chairman, I reserve a point of order on this amendment.

The CHAIRMAN. A point of order is reserved.

Mr. BONIOR. Mr. Chairman, I ask unanimous consent that all debate on this amendment be limited to 30 minutes and that the time be equally divided.

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

There was no objection.

The CHAIRMAN. The time will be equally divided between the proponent of the amendment, the gentleman from Connecticut (Ms. DELAURO), and a Member opposed.

Mr. BONILLA. Mr. Chairman, I claim the time in opposition.

The CHAIRMAN. The gentleman from Connecticut (Ms. DELAURO) is recognized for 15 minutes.

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

Mr. Chairman, my amendment provides emergency funds to address the food safety crisis that faces our Nation today. Today more Americans are getting sick from the food that they eat. Outbreaks of food sickness are expected to go up by as much as 15 percent over the next 10 years. The outbreaks are reported across the spectrum: fish, eggs, beef and lettuce, to name a few. The statistics are staggering. Five thousand Americans die every year from food-borne illness, and

76 million get ill and 325 are hospitalized. Medical expenses and lost productivity cost us every year \$5.6 billion and \$9.4 billion respectively.

Two days ago the Excel Corporation recalled 190,000 pounds of ground beef and pork because of possible contamination by deadly E. coli. Sara Lee pled guilty to selling tainted meat linked to a nationwide outbreak of listeriosis in 1998, and 15 people were killed.

Grocery stores are afraid that their food is unsafe. Slaughterhouses are killing cattle before the animals are unconscious because there are not enough inspectors to ensure that the law is enforced.

George Grob, Deputy Director and Inspector General of Health and Human Services states that, and I quote, "Any reasonable person would worry about it. If the inspection process worked really well, there would be fewer recalls."

To address the problem I asked the committee to allow an amendment that would provide a total of \$213 million in emergency funds, \$90 million for more inspections of imported foods, \$73 million for additional inspections of domestic food products, and \$50 million for the Food Safety Inspection Service to ensure that it has the resources that it needs to implement food safety procedures and regulations.

The Food and Drug Administration inspects all food except meat, poultry and eggs. This food, which includes fruit juices, vegetables, cheeses, seafood, is the source of 85 percent of food poisoning in this country. In the United States alone, there are 30,000 companies that produce these food items, and last year recalls of FDA-regulated products rose to 315, the most since the 1980s and 36 percent above average.

Mr. Chairman, FDA inspects less than 1 percent of imported food, and that market has expanded from 2.7 million items to 4.1 million items in just 3 years. In the domestic market, the FDA does not inspect all high-risk firms more than once a year; other firms are visited only once in 7 years. The FDA employs 400 people to inspect domestic food and recall. There are 30,000 food plants to look into and less than 120 people to inspect imported food. According to their own testimony, the FDA says to conduct annual inspections of every domestic food firm, it would need 3,400 employees. To increase its inspection of imported food from 1 percent to 10 percent would require 1,600 employees.

The FDA needs resources in order to begin to meet its goal, and that is what this amendment does, is to begin the process of increasing the number of inspectors in order to look at imported foods and take the 1 percent of the inspections to 10 percent, and it would add 630 inspectors to guarantee that all high-risk firms are inspected twice a year, all other firms every 2 years, and all food warehouses every 3 years.

The last part of the amendment says, let us have \$50 million for the Food

Safety Inspection Service to allow it to reach its goal of looking at reducing food-borne illnesses that are carried by meat and poultry by 25 percent.

The FSIS has held public hearings to look at how we deal with imported food and procedures, risk management, and emergency outbreaks. We only have to look at our European friends to see what they have gone through with foot and mouth and with mad cow illness to understand that what we need to do is to be able to meet any kind of emergency. We need to move forward on food safety, not backwards. If we continue to not provide the kinds of inspection services that are needed, in fact, we will move backwards and jeopardize the health of this country.

Mr. Chairman, I ask for support of this amendment and to provide emergency assistance for food safety.

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

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

The CHAIRMAN. Does the gentleman insist upon his point of order?

Mr. BONIOR. I continue to reserve the point of order, Mr. Chairman.

Ms. DELAURO. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Question: How many times have we all heard; "The government is too blasted big. Get the government out of our lives." I bet my colleagues have heard it a lot. Yet the first time that we have an outbreak of disease someplace, the first time that people die from contaminated food, all of a sudden people say, "Where is the government? What are they doing? Why don't they get off their duffs? Why aren't they protecting the public interest?"

Well, there is very good reason for that. It is because we are not providing the resources necessary to provide an absolutely safe source of food in this country.

The purpose of this amendment is to, over a 3-year period of time, bring us to where the FDA says we should be in protecting the public health of this country.

When we had subcommittee hearings earlier in the year, here is what FDA said in response to questions: "The inspection coverage of food manufacturers, particularly high-risk manufacturers, has been inadequate over the past several years." FDA estimated we would need at least \$220 million for an optimum inspection schedule of domestic food facilities under our jurisdiction. This would provide inspection of high-risk firms twice each year, warehouses every 3 years, and all other food firms every 2 years.

Now, people can argue all day long about government priorities, but the fact is that we are here today unable to offer this amendment because the budget limitations under which we are operating prevents us from even getting a vote on the amendment offered by the gentlewoman.

Why are we in this position? Because the majority party and the White House insisted early on to take virtually every dime of the surpluses that we were hoping to have over the next 10 years and pour all of those monies into tax cuts. They put the lion's share of those tax cuts into the pockets of the very wealthiest people in this country.

So this Congress decided it was more important to give the wealthiest 1 percent of people in this country, who, over the last 20 years, have seen an after-tax rise in their income of \$414,000 per family, that it was more important to give those people an additional tax cut of \$53,000 a year than it is to meet our primary obligations to strengthen Social Security, to strengthen education, to strengthen Medicare, and to do all of these other little things that we need to do if we are going to protect the food supply of this country and the environment in which we all live.

So I simply take the well today, knowing full well that this amendment will not receive a vote because of the rule under which the bill is being considered, to suggest that this again is another example of how we are neglecting our responsibilities of stewardship in order to do the easy political thing and throw all of the money that we were expecting to accumulate in those surpluses to tax cuts for the most prosperous people in this society.

Mr. Chairman, I cannot believe this Congress could not achieve a better balance in priorities. I cannot believe that intelligent people on both sides of the aisle cannot figure out a way to guarantee that we do provide at least the minimum coverage that the Agency itself says we ought to provide in order to protect the health of the American people.

Mr. Chairman, 5,000 Americans are going to die this year because of contaminated food, and millions are going to become sick. I do not believe that we cannot do better.

Mr. BONILLA. Mr. Chairman, I continue to reserve my point of order, and I reserve the balance of my time.

Ms. DELAURO. Mr. Chairman, I yield 5 minutes to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Mr. Chairman, I thank the gentlewoman for yielding to me, and I want to commend her for her terrific efforts in subcommittee and in full committee, and now on the floor, to get appropriate attention to the important question of food safety in our country. It really is staggering to think that 76 million Americans every year have some type of food-borne illness.

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As modern a society as we are, we question, why does this happen? Part of the reason for it is because our food system, in many ways, is moving very far away from home.

It used to be that you knew the farmer where your eggs came from. You

knew the farmer who grew your strawberries. There was local accountability. You knew where your chickens came from. You knew where your beef for your sausage came from, because the people lived in your community and you went to the stores and the outlets that they operated.

Mr. Chairman, today we live in a very industrialized food system, and industrialized food processing has not necessarily brought with it a safer food system. In fact, last year, 315 Food and Drug Administration regulated food products were recalled, the most recalls in 1 year since the mid-1980s.

It was a 36 percent increase above the average, and part of the reason for that is, even though we have certain scientific methods in place, the way in which our food is processed actually encourages food-borne illness.

For example, in the area of beef, if you go into some of our slaughter houses and meat-packing plants now, which are very, very mechanized, often, an intestine will be pierced and *E. coli* will be driven into flesh in the animal that is ultimately then cut up and sold on the supermarket shelf.

Mr. Chairman, some of that is not detected by the human eye. Industrial slaughtering is different than when animals were cut by hand and there were not so many animals slaughtered per day and there was closer oversight.

It has never been easy to work in a meat processing facility. At the beginning of the 20th century, books were written about what was going on inside these meat-packing plants, and through the 20th century, we tried to improve the situation.

In poultry, for example, if you look at the USDA inspectors who are on a line, the rate at which birds move by them has become so fast, the human eye cannot necessarily detect the different types of salmonella and *campylobacter* and other bacterial microbes that can infect the meat product.

In spite of the fact that we seem to be so modern, some of the very procedures that we have as well as the fact that food is grown and processed very far from home has made the system in some ways extremely vulnerable.

It is surprising to us also that in a country as bountiful as ours that we have increasing amounts of food imports.

Over the last 4 years alone, imported foods sold in the United States have increased by 50 percent, from 2.7 million items in 1997 to 4.1 million last year alone. But of all the foreign imports coming in here, as the gentlewoman from Connecticut (Ms. DELAURO) has accurately described, only 1 percent are inspected.

When most people get sick from food poisoning, they do not report it to the Centers for Disease Control. A lot of times they do not really realize what is wrong with them until a couple of days later. At the local level, there is not an automatic reporting upstream to the CDC. So a lot of the food poisoning

goes unreported. The DeLauro amendment would provide additional funds for food inspection.

There is \$98 million more for imported food inspection, which we so desperately need at our borders; \$73 million for more FDA inspections of domestic food processors. Many processors do not even get inspected once a year; sometimes it takes up to 2 years.

The FDA actually is the agency where 75 percent of the problem is, 75 percent of the outbreaks and problems relate to FDA-inspected facilities. This means inspection is inadequate.

The DeLauro amendment also would provide \$50 million for USDA food safety and inspection service to carry out new procedures and regulations for meat and poultry food products. For example, USDA is currently addressing port of entry procedures and the development of contingency plans for emergency breakouts. Remember, we had that problem of strawberries in Michigan causing children to become so ill. To this day, we were never actually able to track back where the problem with those strawberries came from. We knew they were processed in southern California. Their origin was Mexico, but we just could not track it back.

So I think the DeLauro amendment is more than worthy; it is essential. She has my full support on this. I hope she has the attention of the membership. Let us get this DeLauro amendment incorporated in the final bill that we bring back from the other body.

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

Mr. Chairman, this is simply an effort to try to build the infrastructure of the agencies that we charge with protecting our food, our food supply, which is ultimately about the food, but it is about the safety of every man, woman and child in this country. That is all that we are asking about here.

Given the statistics, which are staggering, 5,000 deaths, 73 million people ill, 325,000 people hospitalized, it is unconscionable that we do not recognize this as a crisis and as an emergency.

We cannot allow this to continue. We can do something about it.

PARLIAMENTARY INQUIRY

Mr. BONILLA. Mr. Chairman, I have a parliamentary inquiry. Is the gentleman from Connecticut (Ms. DELAURO) withdrawing her amendment?

The CHAIRMAN pro tempore (Mr. WHITFIELD). Is the gentleman from Connecticut withdrawing her amendment, or does she continue to want to move forward on her amendment?

Ms. DELAURO. Mr. Chairman, I would like to continue to move forward with my amendment.

POINT OF ORDER

The CHAIRMAN pro tempore. Does the gentleman from Texas (Mr. BONILLA) insist on his point of order?

Mr. BONILLA. Mr. Chairman, I do.

The CHAIRMAN pro tempore. The gentleman will state his point of order.

Mr. BONILLA. Mr. Chairman, I make a point of order against the amend-

ment, because it proposes to change existing law and constitutes legislation in an appropriations bill, and, therefore, violates clause 2 of rule XXI. The rule states, in pertinent part, an amendment to a general appropriation bill shall not be in order if changing existing law.

The amendment includes an emergency designation under section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985, and, as such, constitutes legislation in violation of clause 2 of rule XXI.

I ask for a ruling from the Chair.

The CHAIRMAN pro tempore. Does the gentleman from Connecticut want to be heard on the point of order?

Ms. DELAURO. No, Mr. Chairman.

The CHAIRMAN pro tempore. Then the Chair is prepared to rule on the gentleman's point of order.

The Chair finds that this amendment includes an emergency designation under section 251(b)(2)(a) of the Balanced Budget and Emergency Deficit Control Act of 1985, the amendment therefore constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained. The amendment is not in order.

The CHAIRMAN pro tempore (Mr. WHITFIELD). The Committee will rise informally.

The SPEAKER pro tempore (Mr. LATHAM) assumed the Chair.

MESSAGE FROM THE PRESIDENT

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

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

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2002

The Committee resumed its seating.

The CHAIRMAN pro tempore. The Clerk will read.

The Clerk read as follows:

OFFICE OF THE UNDER SECRETARY FOR FARM AND FOREIGN AGRICULTURAL SERVICES

For necessary salaries and expenses of the Office of the Under Secretary for Farm and Foreign Agricultural Services to administer the laws enacted by Congress for the Farm Service Agency, the Foreign Agricultural Service, the Risk Management Agency, and the Commodity Credit Corporation, \$611,000.

FARM SERVICE AGENCY

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for carrying out the administration and implementation of programs administered by the Farm Service Agency, \$945,993,000: *Provided*, That the Secretary is authorized to use the services, facilities, and authorities (but not the funds) of the Commodity Credit Corporation to make program payments for all programs administered by the Agency: *Provided further*, That other funds made available to the Agency for authorized activities may be ad-

vanced to and merged with this account: *Provided further*, That these funds shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$1,000,000 shall be available for employment under 5 U.S.C. 3109.

STATE MEDIATION GRANTS

For grants pursuant to section 502(b) of the Agricultural Credit Act of 1987, as amended (7 U.S.C. 5101-5106), \$2,993,000.

DAIRY INDEMNITY PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses involved in making indemnity payments to dairy farmers and manufacturers of dairy products under a dairy indemnity program, \$100,000, to remain available until expended: *Provided*, That such program is carried out by the Secretary in the same manner as the dairy indemnity program described in the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 106-387; 114 Stat. 1549A-12).

AGRICULTURAL CREDIT INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by 7 U.S.C. 1928-1929, to be available from funds in the Agricultural Credit Insurance Fund, as follows: farm ownership loans, \$1,128,000,000, of which \$1,000,000,000 shall be for guaranteed loans and \$128,000,000 shall be for direct loans; operating loans, \$2,600,000,000, of which \$1,500,000,000 shall be for unsubsidized guaranteed loans, \$500,000,000 shall be for subsidized guaranteed loans, and \$600,000,000 shall be for direct loans; Indian tribe land acquisition loans as authorized by 25 U.S.C. 488, \$2,000,000; for emergency insured loans, \$25,000,000 to meet the needs resulting from natural disasters; and for boll weevil eradication program loans as authorized by 7 U.S.C. 1989, \$100,000,000.

For the cost of direct and guaranteed loans, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, as follows: farm ownership loans, \$7,866,000, of which \$4,500,000 shall be for guaranteed loans and \$3,366,000 shall be for direct loans; operating loans, \$174,030,000, of which \$52,650,000 shall be for unsubsidized guaranteed loans, \$67,800,000 shall be for subsidized guaranteed loans, and \$53,580,000 shall be for direct loans; Indian tribe land acquisition loans as authorized by 25 U.S.C. 488, \$118,000; and for emergency insured loans, \$3,363,000 to meet the needs resulting from natural disasters.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, \$282,769,000, of which \$274,769,000 shall be transferred to and merged with the appropriation for "Farm Service Agency, Salaries and Expenses".

Funds appropriated by this Act to the Agricultural Credit Insurance Program Account for farm ownership and operating direct loans and guaranteed loans may be transferred among these programs: *Provided*, That the Appropriations Committees of both Houses of Congress are notified at least 15 days in advance of any transfer.

RISK MANAGEMENT AGENCY

For administrative and operating expenses, as authorized by the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 6933), \$75,142,000: *Provided*, That not to exceed \$700 shall be available for official reception and representation expenses, as authorized by 7 U.S.C. 1506(i).

CORPORATIONS

The following corporations and agencies are hereby authorized to make expenditures,