

Mr. REID. I ask unanimous consent when Senator MCCAIN completes his statement, Senator KYL be recognized to offer an amendment.

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

Mr. REID. I have spoken to Senator KYL. Senator KYL has asked for 30 minutes, equally divided.

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

Mr. REID. I have asked that Senator KYL be recognized when Senator MCCAIN completes his statement, for purposes of offering an amendment to the Labor-HHS bill. Everyone should be advised when the Senator finishes his statement, we are going to enter into a unanimous consent agreement on the Kyl amendment. In that way, the Senator will not need to be interrupted.

Mr. DOMENICI. And when will we vote on the energy and water bill?

Mr. REID. We will vote on it—as soon as we finish the statement of the Senator from Arizona, we are going to do the Kyl amendment and then we will have three votes. One will be on the Treasury-Postal Service conference report, the energy and water conference report, and then on the Kyl amendment. As we have been advised by our faithful staff, not necessarily in that order.

Mr. DOMENICI. I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

AGRICULTURE APPROPRIATIONS

Mr. MCCAIN. Mr. President, I would like to address two issues tonight. One is the last-minute amendments that were made to the Agriculture appropriations bill last week, and a statement concerning the conference report for the fiscal year 2002 energy and water appropriations. I do not intend to spend too much time because I know my colleagues are inconvenienced.

But one of the reasons I am having to give this statement now is because last Thursday night we sat around. All the Senators were sitting around and when I asked what we were waiting for they said: The managers' package of amendments.

Finally the managers' package showed up. Everyone was in line to vote so we could get out of here. Guess what. They asked unanimous consent for the adoption of the management package—the manager of the bill, the Senator from Wisconsin. I said: Reserving the right to object, what is in it? Does anybody know what is in it?

Of course that was met with a resounding silence. So I informed my colleague at that time I was very worried about a managers' package that none of us had seen, and I was worried that there might be provisions in it that I and others might find objectionable.

Then I was told there were 35 amendments included in the managers' package. Let's remember that a managers' package is supposed to be technical

corrections to the overall bill. I want to tell my colleagues what went on last Thursday night and the reason this system has lurched out of control. It is a disgrace, I say to my colleagues; it is a disgrace.

To reiterate, at the tail end of last week's proceedings, the managers for the agriculture appropriations bill "cleared" a package of 35 amendments to be included in the final Senate bill. Again, these are 35 amendments that none of the other Senators voting on the bill had received any information about, nor had any opportunity to review.

While I did not object at the time to approving these amendments by unanimous consent, I was very concerned about the nature of these amendments. As it turns out, I had good reason to be concerned. Of these 35 amendments, about 15 of these amendments included direct earmarked spending or objectionable legislative riders. These additional earmarks amount to an extra \$8 million in porkbarrel spending—on top of the \$372 million already included by the appropriators in the Senate bill.

Mr. President, I understand that the managers for a bill have the privilege to add and remove certain provisions to a bill in order to move it along the process, or agree to clarifying technical amendments. I am not singling out the managers for the agriculture appropriations bill because the negotiation process is a part of any bill under consideration.

However, this particular situation involves a direct spending measure and should require higher scrutiny in approving federal funds, which are normally considered in the committee process to ensure that projects are authorized and approved by the Congress. This should be true of any of the appropriations or budget bills we consider.

Unfortunately, there is no way for us to tell if these last-minute earmarks were included because of their national priority or merit. They are simply added on, either in attempts to gain support to move the bill or tack on earmarks that might not pass legislative review.

Some of my colleagues may be interested to know what amendments were included in the last-minute roundup in the manager's package. Let me give you a sample:

Relief for sugar growers from paying a required marketing assessment;

Special consideration provided to the State of Alaska—that should surprise a lot of my colleagues—for income qualifications for housing for individuals under 18;

There is another surprise: an increase in the earmark for West Virginia State College by more than \$500,000, and including additional language for preferential consideration to this same college by designating it as an 1890 institution;

Expansion of subsidies for sweet potato producers and horse-breeder loans;

Earmark of \$230,000 to purchase conservation easements in Kentucky and

\$230,000 earmark to the University of Kentucky. There may be a little bell rung here. A little trip down memory lane. These states, just by pure coincidence, are the states which the appropriators represents;

Funding for repairs caused by an avalanche in Valdez, Alaska;

Directive language to give special consideration to the Tanana River in Alaska;

Earmark of \$500,000 for Oklahoma State University;

Language limiting the import of fish and fish products.

I am greatly concerned about this process. I tell the appropriators now I will not allow a vote until I have seen the managers' package of amendment. If they don't like it, look at what we adopted last night.

I am gravely troubled by the managers' insertion into this bill the latter provision that would effectively ban all imports of Vietnamese catfish to the United States. Vietnamese catfish constitute an important part of our catfish consumption in the United States. Americans like to eat them. Moreover, the guiding principle of the recently ratified, and historic, United States-Vietnam Bilateral Trade Agreement was to open our markets to each other's products.

To my deep dismay, a midnight amendment inserted by the managers on behalf of several Senators with wealthy catfish growers in their states violates our solemn trade agreement with Vietnam. With a clever trick of Latin phraseology and without any mention of Vietnam, these southern Senators single-handedly undercut American trade policy in a troubling example of the very parochialism we have urged the Vietnamese Government to abandon by ratifying the bilateral trade agreement. Vietnamese catfish are no different than American catfish by nutritional and safety standards—but they are different in the eyes of the large, wealthy agribusinesses on whose behalf this provision was slipped into the agriculture appropriations bill. After preaching for years to the Vietnamese about the need to get government out of micromanaging the economy, we have sadly implicated ourselves in the very sin our trade policy ostensibly rejects.

Sweet potatoes, sugar, catfish, horse-breeders, and dozens of amendments passed without seeing the light of day.

Mr. President, I ask this memo from the Department of Health and Human Services be printed in the RECORD.

There being no objection, the material ordered to be printed in the RECORD, as follows:

WASHINGTON, DC,

August 30, 2000.

Subject: Acceptable market names for *Pangasius* spp.

From: Scott Rippey, Office of Seafood
To: Whom it may concern

There have been several recent inquiries regarding the acceptable market names for a number of *Pangasius* spp., and particularly for *Pangasius bocourti*. The intent of this

memo is to provide a brief history on the subject as well as to list the currently acceptable market names for several of these species. This memo supercedes all previous FDA correspondence on *Pangasius* nomenclature.

In March 1999, the National Fisheries Institute (NFI) asked for guidance on an appropriate market name for *P. bocourti*. Since this imported fish was relatively new to interstate commerce, there was no existing acceptable market name (as would generally be described in the FDA Seafood List) for this species. From information provided by NFI (including material on this fish from Vietnamese sources), the FDA Office of Seafood accepted "basa," "bocourti," or "bocourti fish" as market names for this freshwater fish. This decision was expressed in a memo, dated March 11, 1999, from FDA to NFI.

More recently, there have been a number of requests made to FDA to allow the use of the term "catfish" for this species. The *Pangasius* species are members of the family *Siluridae*. According to the American Fisheries Society World Fishes Important to North Americans, AFS Special Publication 21, American Fisheries Society, Bethesda, Maryland, p. 63.): "The *Siluridae*, here taken to include the *Pangasidae*, are freshwater catfishes of Africa and southern Asia." As such, FDA's Office of Seafood will not object to the use of the name catfish, when used appropriately, to describe these species.

Mr. MCCAIN. I will read a portion.

More recently there have been a number of requests made to FDA to allow the term "catfish" for these species. Species are members of the family—

Et cetera, saying there is no difference between the catfish that are raised in Vietnam and the catfish that the agribusinesses have. The agribusinesses, however, have advertised, "Never trust a catfish with a foreign accent."

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2002—CONFERENCE REPORT—Continued

Mr. MCCAIN. Mr. President, I will move on to the conference report for the fiscal year 2002 energy and water appropriations. Now that one of the Members, anyway, of the appropriations bill is here, the Senator from New Mexico, I hope he will note, I will not approve moving forward until I have seen the managers' amendment on this bill.

Mr. DOMENICI. There is no managers' amendment.

Mr. MCCAIN. If there is one on every appropriations bill, I want to see it. Last Thursday night, in case the Senator from New Mexico missed it, he voted for a package of amendments, also for \$35 million, without seeing it.

Mr. DOMENICI. The managers' amendment is, in fact, the conference report.

Mr. MCCAIN. Good. I thank the Senator.

Mr. President, the energy and water development appropriations bill is important to the nation's energy resources, improving water infrastructure, and ensuring our national security interests.

This conference report finalizes funding recommendations for critical cleanup activities at various sites across the country and continues ongoing water infrastructure projects managed by the Army Corp of Engineers and the Bureau of Reclamation. The bill also increases resources for renewable energy research and nuclear energy programs that are critical to ensuring a diverse energy supply for this nation.

These are all laudable and important activities, particularly given the need for heightened security around the nation. Such Federal facilities, including Federal weapons infrastructure, deserve the most vigilant protection. Unfortunately, my colleagues have determined that their ability to increase energy spending is just another opportunity to increase porkbarrel spending. Millions of dollars are diverted away from national security interests and doled out to parochial projects.

In this conference report, a total of 796 earmarks are included which adds up to \$1.2 billion in porkbarrel spending. These are earmarks for locale-specific projects that are either unrequested or unauthorized, and that have not been considered in the appropriate merit-based review process.

The \$1.2 billion in porkbarrel spending in this bill is nearly \$500 million and 441 earmarks more than the amount in the Senate-passed bill, and \$266 million more than last year's bill.

We have increased unauthorized spending by \$266 million more than last year's bill.

In total, nearly \$9 billion in taxpayer dollars will pay for porkbarrel spending in appropriations bill passed so far this year.

I'm sure that many of my colleagues will assert the need to use these Federal dollars for their hometown Army Corps projects or to fund development of biomass or ethanol projects in their respective states. If these projects had been approved through a competitive, merit-based prioritization process or if the American public had a greater voice in determining if these projects are indeed the wisest and best use of their tax dollars, then I would not object.

The reality is that very few people know how billions of dollars are spent in the routine cycle of the appropriations process. No doubt, the general public would be appalled that many of the funded projects are, at best, questionable—or worse, unauthorized, or singled out for special treatment.

Let me share a few examples of what the appropriators are earmarking this year:

An earmark of \$300,000 for the removal of aquatic weeds in the Lavaca and Navidad Rivers in Texas.

I am sure there are no other rivers that are beset by aquatic weeds. So we have earmarked \$300,000 for removal of the aquatic weeds in those two rivers.

There is an additional \$8 million for the Denali Commission, a regional

commission serving only the needs of Alaska.

That is a surprise.

There is \$200,000 to study individual ditch systems in the State of Hawaii.

I would like to have someone come and study the ditch systems in my State. We have a few. But we are going to spend \$200,000 to study individual ditch systems in the State of Hawaii.

Three hundred thousand dollars for Aunt Lydia's Cove in Massachusetts.

I don't know what the problem is up in Aunt Lydia's Cove, but I am sure it is revered, and it certainly deserves a \$300,000 earmark. I am sure that Aunt Lydia—wherever she is—is very pleased to know that \$300,000 is going to her cove;

An additional \$1 million for the Banta-Carbona Irrigation District's fish screen project—\$1 million, my friends, which we have not scrutinized.

I tell my colleagues, I do not know where Banta-Carbona Irrigation District is. But we are going to give them \$1 million of taxpayers' money. Does anyone know anything about it? No, I don't think so.

Three million dollars for a South Dakota integrated ethanol complex.

I was under the impression for a long time that ethanol was developed by private enterprise. I didn't know we needed to contribute \$3 million to develop an ethanol project in South Dakota.

Two million dollars for the Seaalaska ethanol project.

So far we have \$5 million earmarked for specific ethanol projects.

Two separate earmarks totaling \$4.5 million for gasification of Iowa Switch Grass.

I am sure we could have a lot of fun with that one—\$4.5 million for gasification of Iowa Switch Grass. What could be the problem?

An earmark of \$1.65 million for a new library center at Spring Hill College.

I again plead ignorance. I do not know where Spring Hill College is. But they certainly deserve a new library center. Unlike other colleges, they don't have to get the money from their alumni, or from other sources, as colleges in my State have to do.

One million dollars to install exhibits at the Atomic Testing History Institute. I think I know where the Atomic Testing History Institute is.

And \$500,000 for the Rural Montana Project, and \$8 million for the Rural Nevada Project.

I respect the work of my colleagues on the Appropriations Committee. I do not believe Congress should have absolute discretion to tell the Army Corps or the Bureau of Reclamation how best to spend millions of taxpayer dollars for purely parochial projects.

At this critical time in our history, we should be doing everything we can to instill the confidence of the American people in the Federal Government. Unfortunately, this increasing dilemma of flagrant porkbarrel spending is indefensible.