

(Mr. ALLARD) and the Senator from Arizona (Mr. KYL) were added as cosponsors of S. 2266, a bill to amend the Americans with Disabilities Act of 1990 and the Rehabilitation Act of 1973 to exempt State and local agencies operating prisons from the provisions relating to public services.

S. 2285

At the request of Mr. DODD, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 2285, a bill to establish a commission, in honor of the 150th Anniversary of the Seneca Falls Convention, to further protect sites of importance in the historic efforts to secure equal rights for women.

S. 2295

At the request of Mr. MCCAIN, the names of the Senator from Connecticut (Mr. DODD), and the Senator from South Carolina (Mr. HOLLINGS) were added as cosponsors of S. 2295, a bill to amend the Older Americans Act of 1965 to extend the authorizations of appropriations for that Act, and for other purposes.

## SENATE CONCURRENT RESOLUTION 80

At the request of Ms. MOSELEY-BRAUN, the name of the Senator from Kentucky (Mr. FORD) was added as a cosponsor of Senate Concurrent Resolution 80, a concurrent resolution urging that the railroad industry, including rail labor, management and retiree organization, open discussions for adequately funding an amendment to the Railroad Retirement Act of 1974 to modify the guaranteed minimum benefit for widows and widowers whose annuities are converted from a spouse to a widow or widower annuity.

## SENATE CONCURRENT RESOLUTION 95

At the request of Mr. DODD, the name of the Senator from Vermont (Mr. JEFFORDS) was added as a cosponsor of Senate Concurrent Resolution 95, a concurrent resolution expressing the sense of Congress with respect to promoting coverage of individuals under long-term care insurance.

## SENATE RESOLUTION 237

At the request of Mrs. MURRAY, her name was added as a cosponsor of Senate Resolution 237, a resolution expressing the sense of the Senate regarding the situation in Indonesia and East Timor.

## AMENDMENTS SUBMITTED

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 1999

HARKIN (AND OTHERS)  
AMENDMENT NO. 3127

Mr. DASCHLE (for Mr. HARKIN for himself, Mr. DASCHLE, Mrs. MURRAY, and Mr. WELLSTONE) proposed an amendment to the bill (S. 2159) making

appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for fiscal year ending September 30, 1999, and for other purposes; as follows:

At the appropriate place, insert:  
Findings:

In contrast to our Nation's generally strong economy, in a number of States agricultural producers and rural communities are experiencing serious economic hardship; Increased supplies of agricultural commodities in combination with weakened demand have caused prices of numerous farm commodities to decline dramatically;

Demand for imported agricultural commodities has fallen in some regions of the world, due in part to world economic conditions, and United States agricultural exports have declined from their record level of \$60 billion in 1996;

Prolonged periods of weather disasters and crop disease have devastated agricultural producers in a number of States;

Thirty-two of the fifty States experienced declines in personal farm income between 1996 and 1997;

Whereas, June estimates by the Department of Agriculture indicate that net farm income for 1998 will fall to \$45.5 billion, down 13 percent from the \$52.2 billion for 1996;

Total farm debt for 1998 is expected to reach \$172 billion, the highest level since 1985;

Thousands of farm families are in danger of losing their livelihoods and life savings

Now, therefore, it is the sense of the Senate that emergency action by the President and Congress is necessary to respond to the economic hardships facing agricultural producers and their communities.

BUMPERS (AND COCHRAN)  
AMENDMENT NO. 3128

Mr. COCHRAN (for Mr. BUMPERS for himself and Mr. COCHRAN) proposed an amendment to the bill, S. 2159, supra; as follows:

On page 10, line 17, strike "\$767,921,000" and insert in lieu thereof "\$768,221,000".

On page 13, line 11, strike "\$49,200,000" and insert in lieu thereof "\$50,500,000".

On page 14, line 17, strike "\$434,782,000" and insert in lieu thereof "\$436,082,000".

On page 35, line 7, strike "\$700,201,000" and insert in lieu thereof "\$703,601,000".

On page 36, line 14, after the "systems", insert "": *Provided further*, That of the total amount appropriated, \$2,800,000 shall be available for a community improvement project in Arkansas";

On page 64, line 18, strike "140,000" and insert in lieu thereof "120,000".

On page 67, after line 23, add the following:  
"SEC. 739. None of the funds appropriated or otherwise made available by this Act may be used to require any producer to pay an administrative fee for catastrophic risk protection under section 508(b)(5)(A) of the Federal Crop Insurance Act (7 U.S.C. 1508(b)(5)(A)) in an amount that is greater than \$50 per crop per county."

"SEC. 740. Nothing in this Act shall be interpreted or construed to alter the current implementation of the Wetlands Reserve Program, unless expressly provided herein."

COCHRAN (AND BUMPERS)  
AMENDMENTS NOS. 3129-3130

Mr. COCHRAN (for himself and Mr. BUMPERS) proposed two amendments to the bill, S. 2159, supra; as follows:

## AMENDMENT NO. 3129

On page 35, line 25, strike "\$1,000,000" and insert "\$70,000".

## AMENDMENT NO. 3130

On page 26, line 26, strike "\$488,872,000" and insert in lieu thereof "\$510,649,000".

On page 27, line 7, insert "and" before "for".

On page 27, lines 8 and 9, strike "and for credit sales of acquired property, \$25,000,000".

On page 27, line 13, strike "\$16,320,000" and insert in lieu thereof "\$19,580,000".

On page 27, line 20, insert "and" before "for".

On page 27, lines 21 and 22, strike "and for credit sales of acquired property, \$3,260,000".

## BUMPERS AMENDMENT NO. 3131

Mr. BUMPERS proposed an amendment to the bill, S. 2159, supra; as follows:

On page 67, after line 23, insert the following:

"SEC. . That notwithstanding section 4703(d)(1) of title 5, United States Code, the personnel management demonstration project established in the Department of Agriculture, as described at 55 FR 9062 and amended at 61 FR 9507 and 61 FR 49178, shall be continued indefinitely and become effective upon enactment of this bill."

D'AMATO (AND SARBANES)  
AMENDMENTS NO. 3132

Mr. COCHRAN (for Mr. D'AMATO for himself and Mr. SARBANES) proposed an amendment to the bill, S. 2159, supra; as follows:

On page 67, after line 23, insert the following:

"SEC. \_\_\_\_ (a) The first sentence of section 509(f)(4)(A) of the Housing Act of 1949 (42 U.S.C. 1479(f)(4)(A)) is amended by striking "fiscal year 1998" and inserting "fiscal year 1999".

(b) Section 515(b)(4) of the Housing Act of 1949 (42 U.S.C. 1485(b)(4)) is amended by striking "September 30, 1998" and inserting "September 30, 1999".

(c) The first sentence of section 515(w)(1) of the Housing Act of 1949 (42 U.S.C. 1485(w)(1)) is amended by striking "fiscal year 1998" and inserting "fiscal year 1999".

(d) Section 538 of the Housing Act of 1949 (42 U.S.C. 1490p-2) is amended—

(1) in subsection (t), by striking "fiscal year 1998" and inserting "fiscal year 1999"; and

(2) in subsection (u), by striking "September 30, 1998" and inserting "September 30, 1999".

## GRAHAM AMENDMENT NO. 3133

Mr. COCHRAN (for Mr. GRAHAM) proposed an amendment to the bill, S. 2159, supra; as follows:

On page 67, after line 23, add the following:  
SEC. 7 \_\_\_\_ METHYL BROMIDE ALTERNATIVES RESEARCH.

(a) REVIEW.—The Secretary of Agriculture, acting through the Agricultural Research Service, shall conduct a review of the methyl bromide alternatives research conducted by the Secretary that describes—

(1) the amount of funds expended by the Secretary since January 1, 1990, on methyl bromide alternatives research, including a description of the amounts paid for salaries, expenses, and actual research;

(2) plot and field scale testing of methyl bromide alternatives conducted by the Secretary since January 1, 1990, including a description of—

(A) the total amount of funds expended for the testing;

(B) the amount of funds expended for the testing as a portion of a larger project or independently of other projects; and

(C) the results of the testing and the impact of the results on future research; and

(3) variables that impact the effectiveness of methyl bromide alternatives, including a description of—

(A) the individual variables; and

(B) the plan of the Secretary for addressing each of the variables during the plot and field scale testing conducted by the Secretary.

(b) REPORT.—Not later than 120 days after the date of enactment of this Act, the Secretary shall submit to the Appropriations Committees of both Houses of Congress a report that describes the results of the review conducted under subsection (a).

#### GRAMM (AND HUTCHISON) AMENDMENT NO. 3134

Mr. COCHRAN (for Mr. GRAMM for himself and Mrs. HUTCHISON) Proposed an amendment to the bill, S. 2159, supra; as follows:

On page 67, after line 23, add the following:

#### SEC. \_\_\_\_ SENSE OF SENATE ON DISASTER ASSISTANCE FOR TEXAS AGRICULTURAL PRODUCERS.

(a) FINDINGS.—The Senate finds that—

(1) the statewide economic impact of the drought on agriculture in the State of Texas could be more than \$4,600,000,000 in losses, according to the Agricultural Extension Service of the State;

(2) the direct loss of income to agricultural producers in the State is \$1,500,000,000;

(3) the National Weather Service has reported that all 10 climatic regions in the State have received below-average rainfall from March through May of 1998, a critical time in the production of corn, cotton, sorghum, wheat, and forage;

(4) the total losses for cotton producers in the State have already reached an estimated \$500,000,000;

(5) nearly half of the rangeland in the State (as of May 31, 1998) was rated as poor or very poor as a result of the lack of rain;

(6) the value of lost hay production in the State will approach an estimated \$175,000,000 statewide, leading to an economic impact of \$582,000,000;

(7) dryland fruit and vegetable production losses in East Texas have already been estimated at \$33,000,000;

(8) the early rains in many parts of the State produced a large quantity of forage that is now extremely dry and a dangerous source of fuel for wildfires; and

(9) the Forest Service of the State has indicated that over half the State is in extreme or high danger of wildfires due to the drought conditions.

(b) SENSE OF SENATE.—It is the sense of the Senate that the Secretary of Agriculture should—

(1) streamline the drought declaration process to provide necessary relief to the State of Texas as quickly as is practicable;

(2) ensure that local Farm Service Agency offices in the State are equipped with full-time and emergency personnel in drought-stricken areas to assist agricultural producers with disaster loan applications;

(3) direct the Forest Service, and request the Federal Emergency Management Agency, to assist the State in prepositioning fire fighting equipment and other appropriate resources in affected counties of the State;

(4) authorize haying and grazing on acreage in the State that is enrolled in the conservation reserve program carried out under section 1231 of the Food Security Act of 1985 (16 U.S.C. 3831); and

(5) convene experts within the Department of Agriculture to develop and implement an emergency plan for the State to help prevent

wildfires and to overcome the economic impact of the continuing drought by providing assistance from the Department in a rapid and efficient manner for producers that are suffering from drought conditions.

#### LUGAR AMENDMENT NO. 3135

Mr. COCHRAN (for Mr. LUGAR) proposed an amendment to the bill, S. 2159, supra; as follows:

On page 67, after line 23, add the following new sections:

SEC. \_\_\_\_ Section 1237D(c)(1) of Subchapter C of the Food Security Act of 1985 is amended by inserting after "perpetual" the following "or 30-year."

SEC. \_\_\_\_ Section 1237(b)(2) of Subchapter C of the Food Security Act of 1985 is amended by adding the following: "(C) For purposes of subparagraph (A), to the maximum extent practicable should be interpreted to mean that acceptance of wetlands reserve program bids may be in proportion to landowner interest expressed in program options."

#### LUGAR (AND OTHERS) AMENDMENT NO. 3136

Mr. COCHRAN (for Mr. LUGAR for himself, Mr. SANTORUM, Ms. COLLINS, Mr. HARKIN, and Mr. LEAHY) proposed an amendment to the bill, S. 2159, supra; as follows:

On page 67, after line 23, insert the following:

#### SEC. \_\_\_\_ TECHNICAL CORRECTIONS TO AGRICULTURAL RESEARCH, EXTENSION, AND EDUCATION REFORM ACT OF 1998.

(a) FOREST AND RANGELAND RENEWABLE RESOURCES RESEARCH.—Section 3(d)(3) of the Forest and Rangeland Renewable Resources Research Act of 1978 (16 U.S.C. 1642(d)(3)) (as amended by section 253(b) of the Agricultural Research, Extension, and Education Reform Act of 1998) is amended by striking "The Secretary" and inserting "At the request of the Governor of the State of Maine, New Hampshire, New York, or Vermont, the Secretary".

(b) HONEY RESEARCH, PROMOTION, AND CONSUMER INFORMATION.—Section 7(e)(2) of the Honey Research, Promotion, and Consumer Information Act (7 U.S.C. 4606(e)(2)) (as amended by section 605(f)(3) of the Agricultural Research, Extension, and Education Reform Act of 1998) is amended by striking "\$0.0075" each place it appears and inserting "\$0.01".

(c) EFFECTIVE DATE.—The amendments made by this section take effect on the date of enactment of the Agricultural Research, Extension, and Education Reform Act of 1998.

#### ROBB AMENDMENT NO. 3137

Mr. COCHRAN (for Mr. ROBB) proposed an amendment to the bill, S. 2159, supra; as follows:

After line 23 on page 67, add the following new title:

#### TITLE VIII

##### "SEC. 1. SHORT TITLE.

This section may be cited as the 'Agricultural Credit Restoration Act'.

##### SEC. 2. AMENDMENTS TO THE CONSOLIDATED FARM AND RURAL DEVELOPMENT ACT.

(a) Section 343(a)(12)(B) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991(a)(12)(B)) is amended to read as follows:

"(B) EXCEPTIONS.—The term 'debt forgiveness' does not include—

"(i) consolidation, rescheduling, re-amortization, or deferral of a loan;

"(ii) 1 debt forgiveness in the form of a restructuring, write-down, or net recovery buy-out which occurred prior to date of enactment and was due to a financial problem of the borrower relating to a natural disaster or a medical condition of the borrower or of a member of the immediate family of the borrower (or, in the case of a borrower that is an entity, a principal owner of the borrower or a member of the immediate family of such an owner); and

"(iii) any restructuring, write-down, or net recovery buy-out provided as a part of a resolution of a discrimination complaint against the Secretary."

(5) Section 355(c)(2) of such Act (7 U.S.C. 2003(c)(2)) is amended to read as follows:

"(2) RESERVATION AND ALLOCATION.—

"(A) IN GENERAL.—The Secretary shall, to the greatest extent practicable, reserve and allocate the proportion of each State's loan funds made available under subtitle B that is equal to that State's target participation rate for use by the socially disadvantaged farmers or ranchers in that State. The Secretary shall, to the extent practicable, distribute the total so derived on a county by county basis according to the number of socially disadvantaged farmers or ranchers in the county

"(B) REALLOCATION OF UNUSED FUNDS.—The Secretary may pool any funds reserved and allocated under this paragraph with respect to a State that are not used as described in subparagraph (A) in a State' in the first 10 months of a fiscal year with the funds similarly not so used in other States, and may reallocate such pooled funds in the discretion of the Secretary for use by socially disadvantaged farmers and ranchers in other States."

(c) Section 373(b)(1) of such Act (7 U.S.C. 2008h(b)(1)) is amended to read as follows:

"(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary may not make or guarantee a loan under subtitle A or B to a borrower who received debt forgiveness on a loan made or guaranteed under this title unless such forgiveness occurred prior to April 4, 199\* \* \*".

##### SEC. 2. REGULATIONS.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Agriculture shall promulgate regulations necessary to carry out the amendments made by this Act, without regard to—

(1) the notice and comment provisions of section 553 of title 5, United States Code; and

(2) the statement of policy of the Secretary of Agriculture relating to notices of proposed rulemaking and public participation in rulemaking that became effective on July 24, 1971 (36 Fed. Reg. 13804).

#### COVERDELL AMENDMENTS NOS. 3138–3139

(Ordered to lie on the table.)

Mr. COVERDELL submitted two amendments intended to be proposed by him to the bill, S. 2159, supra; as follows:

#### AMENDMENT No. 3138

On page 67, after line 23, add the following:

##### SEC. \_\_\_\_ HEALTH THREATS POSED BY E. COLI:0157H7.

(a) TRANSFER.—Using \$2,550,000 of the amounts appropriated under this Act, the Secretary of Agriculture shall carry out activities under subsection (b) to address urgent health threats posed by E. coli:0157H7.

(b) USE OF FUNDS.—From amounts transferred under subsection (a), the Secretary shall—

(1) provide \$550,000 to fund ongoing research to detect or prevent colonization of *E. coli*:0157H7 in live cattle;

(2) provide, through the existing partnership between the Federal Government, industry, and consumer groups, \$1,000,000 for the National Consumer Education Campaign on Food Safety as part of the activities to address safe food handling practices; and

(3) provide \$1,000,000 for a contract to be entered into with the National Academy of Sciences to assess the effectiveness of testing to ensure zero tolerance of *E. coli*:0157H7 in raw ground beef products.

#### AMENDMENT NO. 3139

On page 67, after line 23, add the following:

#### SEC. —. AGRICULTURAL CREDIT IMPROVEMENT.

##### (a) DEFINITION OF FAMILY FARM.—

(1) REAL ESTATE LOANS.—Section 302 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1922) is amended by adding at the end the following:

“(c) DETERMINATION OF QUALIFICATION FOR LOAN.—

“(1) PRIMARY FACTOR.—The primary factor to be considered in determining whether an applicant for a loan under this subtitle is engaged primarily and directly in farming or ranching shall be whether the applicant is participating in routine, ongoing farm activities and in overall decisionmaking with regard to the farm or ranch.

“(2) NO BASIS FOR DENIAL OF LOAN.—The Secretary may not deny a loan under this subtitle solely because 2 or more individuals are employed full-time in the farming operation for which the loan is sought.”.

(2) OPERATING LOANS.—Section 311 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1941) is amended by adding at the end the following:

“(d) DETERMINATION OF QUALIFICATION FOR LOAN.—

“(1) PRIMARY FACTOR.—The primary factor to be considered in determining whether an applicant for a loan under this subtitle is engaged primarily and directly in farming or ranching shall be whether the applicant is participating in routine, ongoing farm activities and in overall decisionmaking with regard to the farm or ranch.

“(2) NO BASIS FOR DENIAL OF LOAN.—The Secretary may not deny a loan under this subtitle solely because 2 or more individuals are employed full-time in the farming operation for which the loan is sought.”.

(3) EMERGENCY LOANS.—Section 321 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961) is amended by adding at the end the following:

“(e) DETERMINATION OF QUALIFICATION FOR LOAN.—

“(1) PRIMARY FACTOR.—The primary factor to be considered in determining whether an applicant for a loan under this subtitle is engaged primarily and directly in farming or ranching shall be whether the applicant is participating in routine, ongoing farm activities and in overall decisionmaking with regard to the farm or ranch.

“(2) NO BASIS FOR DENIAL OF LOAN.—The Secretary may not deny a loan under this subtitle solely because 2 or more individuals are employed full-time in the farming operation for which the loan is sought.”.

##### (b) GROWER-SHIPPER AGREEMENTS.—

(1) REAL ESTATE LOANS.—Section 302 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1922) (as amended by subsection (a)(1)) is amended by adding at the end the following:

“(d) GROWER-SHIPPER AGREEMENTS.—This section does not prohibit the Secretary from making a loan under this subtitle to an applicant that has entered into an agreement

with a shipper of perishable commodities under which the applicant and the shipper share in the proceeds from the sale of an agricultural commodity if—

“(1) in the absence of such an agreement, the applicant could not easily market the agricultural commodity or could not market the agricultural commodity without incurring significant additional risk; and

“(2) the agreement is clearly beneficial to the applicant.”.

(2) OPERATING LOANS.—Section 311 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1941) (as amended by subsection (a)(2)) is amended by adding at the end the following:

“(e) GROWER-SHIPPER AGREEMENTS.—This section does not prohibit the Secretary from making a loan under this subtitle to an applicant that has entered into an agreement with a shipper of perishable commodities under which the applicant and the shipper share in the proceeds from the sale of an agricultural commodity if—

“(1) in the absence of such an agreement, the applicant could not easily market the agricultural commodity or could not market the agricultural commodity without incurring significant additional risk; and

“(2) the agreement is clearly beneficial to the applicant.”.

(3) EMERGENCY LOANS.—Section 321 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1941) (as amended by subsection (a)(3)) is amended by adding at the end the following:

“(f) GROWER-SHIPPER AGREEMENTS.—This section does not prohibit the Secretary from making a loan under this subtitle to an applicant that has entered into an agreement with a shipper of perishable commodities under which the applicant and the shipper share in the proceeds from the sale of an agricultural commodity if—

“(1) in the absence of such an agreement, the applicant could not easily market the agricultural commodity or could not market the agricultural commodity without incurring significant additional risk; and

“(2) the agreement is clearly beneficial to the applicant.”.

##### (c) COMBINED LIMIT ON AMOUNT OF FARM OWNERSHIP AND OPERATING LOANS; INDEXATION TO INFLATION.—

(1) LIMIT ON AMOUNT OF GUARANTEED FARM OWNERSHIP LOANS.—Section 305 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1925) is amended—

(A) by striking “SEC.305. The Secretary” and inserting the following:

#### “SEC. 305. LIMITATIONS ON AMOUNT OF FARM OWNERSHIP LOANS.

“(a) IN GENERAL.—The Secretary”;

(B) by striking “\$300,000” and inserting “\$700,000 (increased, beginning with fiscal year 1998, by the inflation percentage applicable to the fiscal year in which the loan is to be made or insured), reduced by the amount of any unpaid indebtedness of the borrower on loans under subtitle B that are guaranteed by the Secretary”;

(C) by striking “In determining” and inserting the following:

“(b) DETERMINATION OF VALUE.—In determining”;

(D) by adding at the end the following:

“(c) INFLATION PERCENTAGE.—For purposes of this section, the inflation percentage applicable to a fiscal year is the percentage (if any) by which—

“(1) the average of the Consumer Price Index (as defined in section 1(f)(5) of the Internal Revenue Code of 1986) for the 12-month period ending on August 31 of the immediately preceding fiscal year; exceeds

“(2) the average of the Consumer Price Index (as so defined) for the 12-month period ending on August 31, 1996.”.

(2) LIMIT ON AMOUNT OF OPERATING LOANS.—Section 313 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1943) is amended—

(A) by striking “SEC. 313. The Secretary” and inserting the following:

#### “SEC. 313. LIMITATIONS ON AMOUNT OF OPERATING LOANS.

“(a) IN GENERAL.—The Secretary”;

(B) by striking “this subtitle (1) that would cause” and inserting “this subtitle—

“(1) that would cause”;

(C) by striking “\$400,000; or (2) for the purchasing” and inserting “\$700,000 (increased, beginning with fiscal year 1998, by the inflation percentage applicable to the fiscal year in which the loan is to be made or insured), reduced by the unpaid indebtedness of the borrower on loans under the sections specified in section 305 that are guaranteed by the Secretary; or

“(2) for the purchasing”;

(D) by adding at the end the following:

“(b) INFLATION PERCENTAGE.—For purposes of this section, the inflation percentage applicable to a fiscal year is the percentage (if any) by which—

“(1) the average of the Consumer Price Index (as defined in section 1(f)(5) of the Internal Revenue Code of 1986) for the 12-month period ending on August 31 of the immediately preceding fiscal year; exceeds

“(2) the average of the Consumer Price Index (as so defined) for the 12-month period ending on August 31, 1996.”.

(d) APPLICABILITY OF DISASTER LOAN COLLATERAL REQUIREMENTS UNDER THE SMALL BUSINESS ACT.—Section 324(d) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1964(d)) is amended—

(1) by striking “(d) All loans” and inserting the following:

“(d) REPAYMENT.—

“(1) IN GENERAL.—All loans”;

(2) by adding at the end the following:

“(2) NO BASIS FOR DENIAL OF LOAN.—

“(A) IN GENERAL.—Subject to subparagraph (B), the Secretary shall not deny a loan under this subtitle to a borrower by reason of the fact that the borrower lacks a particular amount of collateral for the loan if it is reasonably certain that the borrower will be able to repay the loan.

“(B) REFUSAL TO PLEDGE AVAILABLE COLLATERAL.—The Secretary may deny or cancel a loan under this subtitle if a borrower refuses to pledge available collateral on request by the Secretary.”.

(e) PROHIBITION OF LOAN GUARANTEES TO BORROWERS THAT HAVE RECEIVED DEBT FORGIVENESS AFTER APRIL 4, 1996.—

(1) IN GENERAL.—Section 373 of the Consolidated Farm and Rural Development Act (7 U.S.C. 2008h) is amended by striking subsection (b) and inserting the following:

“(b) PROHIBITION OF LOANS FOR BORROWERS THAT HAVE RECEIVED DEBT FORGIVENESS.—

“(1) PROHIBITIONS.—Except as provided in paragraph (2)—

“(A) the Secretary may not make a loan under this title to a borrower that has received debt forgiveness on a loan made or guaranteed under this title; and

“(B) the Secretary may not guarantee a loan under this title to a borrower that has received debt forgiveness after April 4, 1996, on a loan made or guaranteed under this title.

“(2) EXCEPTIONS.—

“(A) IN GENERAL.—The Secretary may make a direct or guaranteed farm operating loan for paying annual farm or ranch operating expenses of a borrower that was restructured with a write-down under section 353.

“(B) EMERGENCY LOANS.—The Secretary may make an emergency loan under section 321 to a borrower that—

"(i) on or before April 4, 1996, received not more than 1 debt forgiveness on a loan made or guaranteed under this title; and

"(ii) after April 4, 1996, has not received debt forgiveness on a loan made or guaranteed under this title.".

(f) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section take effect on the date of enactment of this Act.

(2) DEFINITION OF FAMILY FARM.—The amendments made by subsection (a) take effect on January 1, 1997.

#### DEWINE (AND HUTCHINSON) AMENDMENT NO. 3140

(Ordered to lie on the table.)

Mr. DEWINE (for himself and Mr. HUTCHINSON) submitted an amendment intended to be proposed by them to the bill, S. 2159, *supra*; as follows:

At the appropriate place in title VII, insert the following:

#### SEC. \_\_\_\_ METERED-DOSE INHALERS.

(a) FINDINGS.—Congress finds that—

(1) the Montreal Protocol on Substances That Deplete the Ozone Layer (referred to in this section as the "Montreal Protocol") requires the phaseout of products containing ozone-depleting substances, including chloroflourocarbons;

(2) the primary remaining legal use in the United States of newly produced chloroflourocarbons is in metered-dose inhalers;

(3) treatment with metered-dose inhalers is the preferred treatment for many patients with asthma and chronic obstructive pulmonary disease;

(4) the incidence of asthma and chronic obstructive pulmonary disease is increasing in children and is most prevalent among low-income persons in the United States;

(5) the Parties to the Montreal Protocol have called for development of national transition strategies to non-chloroflourocarbon metered-dose inhalers;

(6) the Commissioner of Food and Drugs published an advance notice of proposed rulemaking that suggested a tentative framework for how to phase out the use of metered-dose inhalers that contain chloroflourocarbons in the Federal Register on March 6, 1997, 62 Fed. Reg. 10242 (referred to in this section as the "proposal"); and

(7) the medical and patient communities, while calling for a formal transition strategy through the FDA rulemaking process have expressed serious concerns that, if implemented without change, the phaseout framework tentatively proposed by the FDA in the ANPR could result in the removal of MDIs containing CFCs from the market before adequate non-chloroflourocarbon replacements are available, thus potentially placing some patients at risk.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Food and Drug Administration should, in consultation with the Environmental Protection Agency, assess the risks and benefits to the environment and to patient health of the proposal and any alternatives;

(2) in conducting such assessments, the Food and Drug Administration should consult with patients, physicians, other health care providers, manufacturers of metered-dose inhalers, and other interested parties;

(3) upon completion of these assessments, the Food and Drug Administration should promptly issue a rule ensuring that a range of non-chloroflourocarbon metered-dose inhaler alternatives is available which for all populations of users, are comparable to ex-

isting treatments (as of the date of issuance of the regulation) in terms of safety and efficacy, use for therapeutic indications, dosage strength, delivery system, and sufficient availability to meet patient needs. Such rule should not be based on a therapeutic class phaseout approach; and

(4) A proposed rule should be issued by the FDA no later than July 1, 1999.

#### BROWNBACK AMENDMENT NO. 3141

(Ordered to lie on the table.)

Mr. BROWNBACK submitted an amendment intended to be proposed by him to the bill, S. 2159, *supra*; as follows:

On page 67, after line 23, add the following:

#### SEC. 7 \_\_\_\_ CENSUS OF AGRICULTURE.

(a) IN GENERAL.—Section 2 of the Census of Agriculture Act of 1997 (7 U.S.C. 2204g) is amended—

(1) in subsection (b), by inserting before the period at the end the following: ", except that a survey or other information collection shall consist of not more than 20 questions"; and

(2) by striking subsection (d) and inserting the following:

"(d) COMPLIANCE.—

"(1) FRAUD.—A person over 18 years of age shall not willfully give an answer that is false to a question that the Secretary is authorized to submit to the person in connection with a census under this section.

"(2) REFUSAL OR NEGLECT TO ANSWER QUESTIONS.—A person over 18 years of age shall not refuse or willfully neglect to answer a question that the Secretary is authorized to submit to the person in connection with a census under this section.

"(3) PENALTIES.—A person that violates paragraph (1) or (2) shall not be subject to any penalty or injunction under this Act or any other law by reason of the violation."

(b) EFFECTIVE DATE.—The amendments made by subsection (a) take effect on January 1, 1998.

#### BUMPERS (AND COCHRAN) AMENDMENT NO. 3142

Mr. BUMPERS (for himself and Mr. COCHRAN) proposed an amendment to the bill, S. 2159, *supra*; as follows:

On page 67, after line 23 insert the following:

"SEC. \_\_\_\_ None of the funds appropriated by this Act or any other Act shall be used to pay the salaries and expenses of personnel who prepare or submit appropriations language as part of the President's Budget submission to the Congress of the United States for programs under the jurisdiction of the Appropriations Subcommittees on Agriculture, Rural Development, and Related Agencies that assumes revenues or reflects a reduction from the previous year due to user fees proposals that have not been enacted into law prior to the submission of the Budget unless such Budget submission identifies which additional spending reductions should occur in the event the users fees proposals are not enacted prior to the date of the convening of a committee of conference for the fiscal year 2000 appropriations act."

#### DASCHLE AMENDMENT NO. 3143

Mr. BUMPERS (for Mr. DASCHLE) proposed an amendment to the bill, S. 2159, *supra*; as follows:

On page 67, after line 23, add the following:

#### SEC. 7 \_\_\_\_ PILOT PROGRAM TO PERMIT HAYING AND GRAZING ON CONSERVATION RESERVE LAND.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE STATE.—The term "eligible State" means any State that is approved by the Secretary for inclusion in the pilot program under subsection (b), except that the term shall not apply to more than 7 States.

(2) SECRETARY.—The term "Secretary" means the Secretary of Agriculture.

(3) STATE TECHNICAL COMMITTEE.—The term "State technical committee" means the State technical committee for a State established under section 1261 of the Food Security Act of 1985 (16 U.S.C. 3861).

(b) PILOT PROGRAM.—Notwithstanding section 1232(a)(7) of the Food Security Act of 1985 (16 U.S.C. 3832(a)(7)), during the 4-year period beginning on the date of enactment of this Act, on application by an owner or operator of a farm or ranch located in an eligible State who has entered into a contract with the Secretary under subchapter B of chapter 1 of subtitle D of title XII of that Act (16 U.S.C. 3831 et seq.)—

(1) the Secretary shall permit harvesting and grazing on land on the farm or ranch that the Secretary determines has a sufficiently established cover to permit harvesting or grazing without undue harm to the purposes of the contract if—

(A) no land under the contract will be harvested or grazed more than once in a 4-year period;

(B) the owner or operator agrees to a payment reduction under that subchapter in an amount determined by the Secretary; and

(C) the owner or operator agrees to such other terms and conditions as the Secretary, in consultation with the State technical committee for the State, may establish to ensure that the harvesting or grazing is consistent with the purposes of the program established under that subchapter;

(2) the Secretary may permit grazing on land under the contract if—

(A) the grazing is incidental to the glean- ing of crop residues;

(B) the owner or operator agrees to a payment reduction in annual rental payments that would otherwise be payable under that subchapter in an amount determined by the Secretary; and

(C) the owner or operator agrees to such other terms and conditions as the Secretary, in consultation with the State technical committee for the State, may establish to ensure that the grazing is consistent with the purposes of the program established under that subchapter; and

(3) the Secretary shall permit harvesting on land on the farm or ranch that the Secretary determines has a sufficiently established cover to permit harvesting without undue harm to the purposes of the contract if—

(A) land under the contract will be harvested not more than once annually for recovery of biomass used in energy production;

(B) the owner or operator agrees to a payment reduction under that subchapter in an amount determined by the Secretary; and

(C) the owner or operator agrees to such other terms and conditions as the Secretary, in consultation with the State technical committee for the State, may establish to ensure that the harvesting is consistent with the purposes of the program established under that subchapter.

(c) RELATIONSHIP TO OTHER HAYING AND GRAZING AUTHORITY.—During the 4-year period beginning on the date of enactment of this Act, land that is located in an eligible State shall not be eligible for harvesting or grazing under section 1232(a)(7) of the Food Security Act of 1985 (16 U.S.C. 3832(a)(7)).

(d) CONSERVATION PRACTICES AND TIMING RESTRICTIONS.—Not later than March 1 of

each year, the Secretary, in consultation with the State technical committee for an eligible State, shall determine any conservation practices and timing restrictions that apply to land in the State that is harvested or grazed under subsection (b).

(e) **STUDY.**—The Secretary shall make available not more than \$100,000 of funds of the Commodity Credit Corporation to contract with the game, fish, and parks department of an eligible State to conduct an analysis of the program conducted under this section (based on information provided by all eligible States).

(f) **REGULATIONS.**—

(1) **IN GENERAL.**—Not later than 90 days after the date of enactment of this Act, the Secretary shall issue such regulations as are necessary to implement this Act.

(2) **PROCEDURE.**—The issuance of the regulations shall be made without regard to—

(A) the notice and comment provisions of section 553 of title 5, United States Code;

(B) the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 Fed. Reg. 13804), relating to notices of proposed rulemaking and public participation in rulemaking; or

(C) chapter 35 of title 44, United States Code (commonly known as the "Paperwork Reduction Act").

#### DURBIN AMENDMENT NO. 3144

Mr. BUMPERS (for Mr. DURBIN) proposed an amendment to the bill, S. 2159, *supra*; as follows:

On page 67, after line 23, add the following:

#### SEC. 7. EGG GRADING AND SAFETY.

(a) **PROHIBITION ON PREVIOUS SHIPMENT OF SHELL EGGS UNDER VOLUNTARY GRADING PROGRAM.**—Section 203(h) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1622(h)) is amended by adding at the end the following: "Shell eggs packed under the voluntary grading program of the Department of Agriculture shall not have been shipped for sale previous to being packed under the program, as determined under a regulation promulgated by the Secretary."

(b) **REPORT ON EGG SAFETY AND REPACKAGING.**—Not later than 90 days after the date of enactment of this Act, the Secretary of Agriculture, and the Secretary of Health and Human Services, shall submit a status report to the Committees on Appropriations of the House of Representatives and the Senate that describes actions taken by the Secretary of Agriculture and the Secretary of Health and Human Services—

(1) to enhance the safety of shell eggs and egg products;

(2) to prohibit the grading, under the voluntary grading program of the Department of Agriculture, of shell eggs previously shipped for sale; and

(3) to assess the feasibility and desirability of applying to all shell eggs the prohibition on repackaging to enhance food safety, consumer information, and consumer awareness.

#### BYRD AMENDMENT NO. 3145

Mr. BUMPERS (for Mr. BYRD) proposed an amendment to the bill, S. 2159, *supra*; as follows:

On page 31, line 8, after "Provided," insert "That, of the total amount appropriated, \$433,000 shall be used, along with prior year appropriations provided for this project, to complete construction of the Alderson Plant Materials Center, Alderson, West Virginia: *Provided, further,*,"

#### DASCHLE (AND OTHERS) AMENDMENT NO. 3146

Mr. DASCHLE (for himself, Mr. HARKIN, Mr. WELLSTONE, Mrs. MURRAY, Mr. KERREY, Mr. CONRAD, Mr. DORGAN, and Mr. BAUCUS) proposed an amendment to the bill, S. 2159, *supra*; as follows:

On page 67, after line 23, add the following:

#### SEC. 7. MARKETING ASSISTANCE LOANS.

(a) **MARKETING ASSISTANCE LOANS.**—

(1) **LOAN RATES.**—Notwithstanding section 132 of the Agricultural Market Transition Act (7 U.S.C. 7232), during fiscal year 1999, loan rates for a loan commodity (as defined in section 102 of that Act (7 U.S.C. 7202)) shall not be subject to any dollar limitation on loan rates prescribed under subsections (a)(1)(B), (b)(1)(B), (c)(2), (d)(2), (f)(1)(B), or (f)(2)(B) of that section.

(2) **TERM OF LOAN.**—Notwithstanding section 133(c) of the Agricultural Market Transition Act (7 U.S.C. 7233), during fiscal year 1999, the Secretary of Agriculture may extend the term of a marketing assistance loan for any loan commodity for a period not to exceed 6 months.

(b) **EMERGENCY REQUIREMENT.**—

(1) **DESIGNATION BY CONGRESS.**—Subject to paragraph (2), the entire amount of funds necessary to carry out this section is designated by Congress as an emergency requirement under section 252(e) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 902(e)).

(2) **BUDGET REQUEST.**—Funds shall be made available to carry out this section only to the extent that an official budget request that includes designation of the entire amount of the request as an emergency requirement for the purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.) is transmitted by the President to Congress.

(c) **TERMINATION OF EFFECTIVENESS.**—

(1) **IN GENERAL.**—Subject to paragraph (2), the authority provided by this section terminates effective October 1, 1999.

(2) **LOAN TERMS.**—A marketing assistance loan made under subtitle C of the Agricultural Market Transition Act (7 U.S.C. 7231 et seq.) and subsection (a) shall be subject to the terms and conditions of the loan during the 15-month period beginning on October 1, 1998.

#### LIEBERMAN (AND DODD) AMENDMENT NO. 3147

Mr. BUMPERS (for Mr. LIEBERMAN for himself and Mr. DODD) proposed an amendment to the bill, S. 2159, *supra*; as follows:

On page 67, after line 23, add the following:

#### SEC. \_\_\_\_ . ELIGIBILITY OF STATE AGRICULTURAL EXPERIMENT STATIONS FOR CERTAIN AGRICULTURAL RESEARCH PROGRAMS.

(a) **FUND FOR RURAL AMERICA.**—Section 793(c)(2)(B) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 2204f(c)(2)(B)) is amended—

(1) in clause (iii), by striking "or" at the end;

(2) in clause (iv), by striking the period at the end and inserting "; or"; and

(3) by adding at the end the following:

"(v) a State agricultural experiment station."

(b) **INITIATIVE FOR FUTURE AGRICULTURE AND FOOD SYSTEMS.**—Section 401(d) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7621(d)) is amended—

(1) in paragraph (3), by striking "or" at the end;

(2) in paragraph (4), by striking the period at the end and inserting "; or"; and

(3) by adding at the end the following:

"(5) a State agricultural experiment station."

#### TROPICAL FOREST CONSERVATION ACT OF 1998

#### HELMS (AND OTHERS) AMENDMENT NO. 3148

Mr. ROBERTS (for Mr. HELMS for himself, Mr. BIDEN, and Mr. LUGAR) proposed an amendment to the bill (S. 1758) to amend the Foreign Assistance Act of 1961 to facilitate protection of tropical forests through debt reduction with developing countries with tropical forests; as follows:

On page 6, line 11, strike "continental" and insert "regional, continental,"

On page 11, line 7, strike "For the cost" and insert the following:

"(A) **IN GENERAL.**—For the cost".

On page 11, line 11, strike "(A)" and insert "(i)".

On page 11, line 12, strike "(B)" and insert "(ii)".

On page 11, line 13, strike "(C)" and insert "(iii)".

On page 11, between lines 13 and 14, insert the following:

"(B) **LIMITATION.**—The authority provided by this section shall be available only to the extent that appropriations for the cost (as defined in section 502(5) of the Federal Credit Reform Act of 1990) of the modification of any debt pursuant to this section are made in advance.

On page 15, line 2, insert "the lessor of" after "than".

On page 15, between lines 6 and 7, insert the following:

"(3) **LIMITATION.**—The authority provided by paragraphs (1) and (2) shall be available only to the extent that appropriations for the cost (as defined in section 502(5) of the Federal Credit Reform Act of 1990) of the modification of any debt pursuant to such paragraphs are made in advance.

On page 15, line 7, strike "(3)" and insert "(4)".

On page 15, line 12, strike "(4)" and insert "(5)".

On page 18, line 2, strike "agroforestry" and insert "forestry".

On page 18, line 16, strike "to provide grants to preserve" and insert "only to provide grants to conserve."

On page 18, line 18, strike "including" and insert "through".

On page 19, lines 1 and 2, strike "strengthen conservation institutions and increase" and insert "increase the".

On page 19, strike lines 10 and 11.

On page 19, line 12, strike "(7)" and insert "(6)".

On page 19, line 14, strike ", including the cultures of such individuals,".

On page 19, line 21, insert "forestry," after "conservation,".

On page 22, line 7, strike "agricultural" and insert "forestry".

On page 23, line 5, insert "forestry," after "scientific,".

On page 23, line 7, insert "forestry," after "scientific,".