

PERSONAL EXPLANATION

Ms. KILPATRICK. Mr. Speaker, due to official business in the 15th Congressional District of Michigan, I was not able to record my vote for two measures considered in the U.S. House of Representatives today. Had I been present, I would have voted "aye" for rollcall number 170, and I would have voted "aye" for rollcall number 171.

GENERAL LEAVE

Mr. SKEEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include tabular and extraneous material on H.R. 1906.

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

There was no objection.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2000

The SPEAKER pro tempore. Pursuant to House Resolution 185 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 1906.

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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 further consideration of the bill (H.R. 1906) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2000, and for other purposes, with Mr. PEASE in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on Wednesday, May 26, 1999, the amendment by the gentleman from Oklahoma (Mr. COBURN) had been disposed of and the bill was open for amendment from page 13, line 1, to page 14, line 19.

Are there further amendments to this portion of the bill?

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

Mr. Chairman, the Committee of the Whole has had this bill under consideration for 2 days. We have consumed about 11 hours of floor time so far. We have disposed of 10 amendments by recorded votes and we have reached page 14 of a 70-page appropriations bill. I believe that this is a record for this bill. I rise to make the point that the membership has been very strong in its support of the Committee on Appropriations and of the votes cast on the 10 amendments; over 70 percent have supported the committee's recommendations and less than 30 percent have opposed them. I want to take this opportunity

to thank the membership for supporting our work and to ask for its continued support.

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

Mr. Chairman, I would just like to inform the House that we are going to proceed forward on this bill today. It is our hope, in view of the crisis in rural America, we can move through it expeditiously. We look forward to working with the gentleman from New Mexico (Mr. SKEEN) and to try to move through the amendments that remain. I think further delay is not in the interest of the Nation. We would like to move this bill to conference as quickly as possible. We look forward to proceeding with the amendments in order. I look forward to the first amendment.

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.

NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

For establishment of a Native American institutions endowment fund, as authorized by Public Law 103-382 (7 U.S.C. 301 note), \$4,600,000.

EXTENSION ACTIVITIES

Payments to States, the District of Columbia, Puerto Rico, Guam, the Virgin Islands, Micronesia, Northern Marianas, and American Samoa: for payments for cooperative extension work under the Smith-Lever Act, 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, \$276,548,000; payments for extension work at the 1994 Institutions under the Smith-Lever Act (7 U.S.C. 343(b)(3)), \$2,060,000; payments for the nutrition and family education program for low-income areas under section 3(d) of the Act, \$58,695,000; payments for the pest management program under section 3(d) of the Act, \$10,783,000; payments for the farm safety program under section 3(d) of the Act, \$3,000,000; payments for the pesticide impact assessment program under section 3(d) of the Act, \$3,214,000; 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), \$8,426,000, to remain available until expended; payments for the rural development centers under section 3(d) of the Act, \$908,000; payments for a groundwater quality program under section 3(d) of the Act, \$9,561,000; payments for youth-at-risk programs under section 3(d) of the Act, \$9,000,000; payments for a food safety program under section 3(d) of the Act, \$7,365,000; payments for carrying out the provisions of the Renewable Resources Extension Act of 1978, \$3,192,000; payments for Indian reservation agents under section 3(d) of the Act, \$1,714,000; payments for sustainable agriculture programs under section 3(d) of the Act, \$3,309,000; payments for rural health and safety education as authorized by section 2390 of Public Law 101-624 (7 U.S.C. 2661 note, 2662), \$2,628,000; payments for cooperative extension work by the colleges receiving the benefits of the second Morrill Act (7 U.S.C. 321-326 and 328) and Tuskegee University, \$25,843,000; 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, \$12,741,000; in all, \$438,987,000: *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, \$10,000,000.

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, \$618,000.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For expenses, not otherwise provided for, including those pursuant to the Act of February 28, 1947 (21 U.S.C. 114b-c), necessary to prevent, control, and eradicate pests and plant and animal diseases; to carry out inspection, quarantine, and regulatory activities; to discharge the authorities of the Secretary of Agriculture under the Act of March 2, 1931 (46 Stat. 1468; 7 U.S.C. 426-426b); and to protect the environment, as authorized by law, \$444,000,000, of which \$4,105,000 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 next preceding fiscal year shall be merged with such transferred amounts: *Provided further*, That appropriations hereunder shall be available pursuant to law (7 U.S.C. 2250) for the repair and alteration of leased

buildings and improvements, but unless otherwise provided the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

In fiscal year 2000, 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 2000, \$87,000,000 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, \$7,200,000, to remain available until expended.

AGRICULTURAL MARKETING SERVICE MARKETING SERVICES

For necessary expenses to carry on services related to consumer protection, agricultural marketing and distribution, transportation, and regulatory programs, as authorized by law, and for administration and coordination of payments to States, including field employment pursuant to 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, \$49,152,000, 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 LEVEL

Not to exceed \$60,730,000 (from fees collected) shall be obligated during the current fiscal year for administrative expenses: *Provided*, That if crop size is understated and/or other uncontrollable events occur, the agency may exceed this limitation by up to 10 percent with notification to the Appropriations Committees.

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

(INCLUDING TRANSFERS OF FUNDS)

Funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c) shall be used only for commodity program expenses as authorized therein, and other related operating expenses, except for: (1) transfers to the Department of Commerce as authorized by the Fish and Wildlife Act of August 8, 1956; (2) transfers otherwise provided in this Act; and (3) not more than \$12,443,000 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 mar-

kets, and similar agencies for marketing activities under section 204(b) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1623(b)), \$1,200,000.

GRAIN INSPECTION, PACKERS AND STOCKYARDS ADMINISTRATION SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of the United States Grain Standards Act, 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, \$26,448,000: *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.

LIMITATION ON INSPECTION AND WEIGHING SERVICES EXPENSES

Not to exceed \$42,557,000 (from fees collected) shall be obligated during the current fiscal year for inspection and weighing services: *Provided*, That if grain export activities require additional supervision and oversight, or other uncontrollable factors occur, this limitation may be exceeded by up to 10 percent with notification to the Appropriations Committees.

OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

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

FOOD SAFETY AND INSPECTION SERVICE

For necessary expenses to carry out services authorized by the Federal Meat Inspection Act, the Poultry Products Inspection Act, and the Egg Products Inspection Act, \$652,955,000, and in addition, \$1,000,000 may be credited to this account from fees collected for the cost of laboratory accreditation as authorized by section 1017 of Public Law 102-237: *Provided*, That this appropriation shall not be available for shell egg surveillance under section 5(d) of the Egg Products Inspection Act (21 U.S.C. 1034(d)): *Provided further*, That this appropriation shall be available for field employment pursuant to 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.

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, \$572,000.

FARM SERVICE AGENCY SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for carrying out the administration and implementation of

programs administered by the Farm Service Agency, \$794,839,000: *Provided*, That the Secretary is authorized to use the services, facilities, and authorities (but not the funds) of the Commodity Credit Corporation to make program payments for all programs administered by the Agency: *Provided further*, That other funds made available to the Agency for authorized activities may be advanced to and merged with this account: *Provided further*, That these funds shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$1,000,000 shall be available for employment under 5 U.S.C. 3109.

STATE MEDIATION GRANTS

For grants pursuant to section 502(b) of the Agricultural Credit Act of 1987 (7 U.S.C. 5101-5106), \$4,000,000.

DAIRY INDEMNITY PROGRAM (INCLUDING TRANSFERS OF FUNDS)

For necessary expenses involved in making indemnity payments to dairy farmers for milk or cows producing such milk and manufacturers of dairy products who have been directed to remove their milk or dairy products from commercial markets because it contained residues of chemicals registered and approved for use by the Federal Government, and in making indemnity payments for milk, or cows producing such milk, at a fair market value to any dairy farmer who is directed to remove his milk from commercial markets because of: (1) the presence of products of nuclear radiation or fallout if such contamination is not due to the fault of the farmer; or (2) residues of chemicals or toxic substances not included under the first sentence of the Act of August 13, 1968 (7 U.S.C. 450j), if such chemicals or toxic substances were not used in a manner contrary to applicable regulations or labeling instructions provided at the time of use and the contamination is not due to the fault of the farmer, \$450,000, to remain available until expended (7 U.S.C. 2209b): *Provided*, That none of the funds contained in this Act shall be used to make indemnity payments to any farmer whose milk was removed from commercial markets as a result of the farmer's willful failure to follow procedures prescribed by the Federal Government: *Provided further*, That this amount shall be transferred to the Commodity Credit Corporation: *Provided further*, That the Secretary is authorized to utilize the services, facilities, and authorities of the Commodity Credit Corporation for the purpose of making dairy indemnity disbursements.

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, \$559,422,000, of which \$431,373,000 shall be for guaranteed loans; operating loans, \$2,295,284,000, of which \$1,697,842,000 shall be for unsubsidized guaranteed loans and \$97,442,000 shall be for subsidized guaranteed loans; Indian tribe land acquisition loans as authorized by 25 U.S.C. 488, \$1,028,000; for emergency insured loans, \$53,000,000 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, \$7,243,000, of which \$2,416,000 shall be for guaranteed loans; operating loans,

\$61,825,000, of which \$23,940,000 shall be for unsubsidized guaranteed loans and \$8,585,000 shall be for subsidized guaranteed loans; Indian tribe land acquisition loans as authorized by 25 U.S.C. 488, \$21,000; and for emergency insured loans, \$8,231,000 to meet the needs resulting from natural disasters.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, \$214,161,000, of which \$209,861,000 shall be transferred to and merged with the appropriation for "Farm Service Agency, Salaries and Expenses".

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), \$70,716,000: *Provided*, That not to exceed \$900 shall be available for official reception and representation expenses, as authorized by 7 U.S.C. 1506(i).

CORPORATIONS

The following corporations and agencies are hereby authorized to make expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accord with law, and to make contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act as may be necessary in carrying out the programs set forth in the budget for the current fiscal year for such corporation or agency, except as hereinafter provided.

FEDERAL CROP INSURANCE CORPORATION FUND

For payments as authorized by section 516 of the Federal Crop Insurance Act, such sums as may be necessary, to remain available until expended (7 U.S.C. 2209b).

COMMODITY CREDIT CORPORATION FUND

REIMBURSEMENT FOR NET REALIZED LOSSES

For fiscal year 2000, such sums as may be necessary to reimburse the Commodity Credit Corporation for net realized losses sustained, but not previously reimbursed (estimated to be \$14,368,000,000 in the President's fiscal year 2000 Budget Request (H. Doc. 106-3)), but not to exceed \$14,368,000,000, pursuant to section 2 of the Act of August 17, 1961 (15 U.S.C. 713a-11).

OPERATIONS AND MAINTENANCE FOR HAZARDOUS WASTE MANAGEMENT

For fiscal year 2000, the Commodity Credit Corporation shall not expend more than \$5,000,000 for expenses to comply with the requirement of section 107(g) of the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. 9607(g), and section 6001 of the Resource Conservation and Recovery Act, 42 U.S.C. 6961: *Provided*, That expenses shall be for operations and maintenance costs only and that other hazardous waste management costs shall be paid for by the USDA Hazardous Waste Management appropriation in this Act.

TITLE II

CONSERVATION PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR NATURAL RESOURCES AND ENVIRONMENT

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

NATURAL RESOURCES CONSERVATION SERVICE CONSERVATION OPERATIONS

For necessary expenses for carrying out the provisions of the Act of April 27, 1935 (16 U.S.C. 590a-f), including preparation of conservation plans and establishment of measures to conserve soil and water (including

farm irrigation and land drainage and such special measures for soil and water management as may be necessary to prevent floods and the siltation of reservoirs and to control agricultural related pollutants); operation of conservation plant materials centers; classification and mapping of soil; dissemination of information; acquisition of lands, water, and interests therein for use in the plant materials program by donation, exchange, or purchase at a nominal cost not to exceed \$100 pursuant to the Act of August 3, 1956 (7 U.S.C. 428a); purchase and erection or alteration or improvement of permanent and temporary buildings; and operation and maintenance of aircraft, \$654,243,000, to remain available until expended (7 U.S.C. 2209b), of which not less than \$6,124,000 is for snow survey and water forecasting and not less than \$9,238,000 is for operation and establishment of the plant materials centers: *Provided*, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for construction and improvement of buildings and public improvements at plant materials centers, except that the cost of alterations and improvements to other buildings and other public improvements shall not exceed \$250,000: *Provided further*, That when buildings or other structures are erected on non-Federal land, that the right to use such land is obtained as provided in 7 U.S.C. 2250a: *Provided further*, That this appropriation shall be available for technical assistance and related expenses to carry out programs authorized by section 202(c) of title II of the Colorado River Basin Salinity Control Act of 1974 (43 U.S.C. 1592(c)): *Provided further*, That no part of this appropriation may be expended for soil and water conservation operations under the Act of April 27, 1935 in demonstration projects: *Provided further*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$25,000 shall be available for employment under 5 U.S.C. 3109: *Provided further*, That qualified local engineers may be temporarily employed at per diem rates to perform the technical planning work of the Service (16 U.S.C. 590e-2).

WATERSHED SURVEYS AND PLANNING

For necessary expenses to conduct research, investigation, and surveys of watersheds of rivers and other waterways, and for small watershed investigations and planning, in accordance with the Watershed Protection and Flood Prevention Act approved August 4, 1954 (16 U.S.C. 1001-1009), \$10,368,000: *Provided*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$110,000 shall be available for employment under 5 U.S.C. 3109.

WATERSHED AND FLOOD PREVENTION OPERATIONS

For necessary expenses to carry out preventive measures, including but not limited to research, engineering operations, methods of cultivation, the growing of vegetation, rehabilitation of existing works and changes in use of land, in accordance with the Watershed Protection and Flood Prevention Act approved August 4, 1954 (16 U.S.C. 1001-1005 and 1007-1009), the provisions of the Act of April 27, 1935 (16 U.S.C. 590a-f), and in accordance with the provisions of laws relating to the activities of the Department, \$99,443,000, to remain available until expended (7 U.S.C. 2209b) (of which up to \$15,000,000 may be available for the watersheds authorized under the Flood Control Act approved June 22, 1936 (33 U.S.C. 701 and 16 U.S.C. 1006a)): *Provided*, That not to exceed \$47,000,000 of this appropriation shall be available for technical assistance: *Provided further*, That

this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$200,000 shall be available for employment under 5 U.S.C. 3109: *Provided further*, That not to exceed \$1,000,000 of this appropriation is available to carry out the purposes of the Endangered Species Act of 1973 (Public Law 93-205), including cooperative efforts as contemplated by that Act to relocate endangered or threatened species to other suitable habitats as may be necessary to expedite project construction.

RESOURCE CONSERVATION AND DEVELOPMENT

For necessary expenses in planning and carrying out projects for resource conservation and development and for sound land use pursuant to the provisions of section 32(e) of title III of the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1010-1011; 76 Stat. 607), the Act of April 27, 1935 (16 U.S.C. 590a-f), and the Agriculture and Food Act of 1981 (16 U.S.C. 3451-3461), \$35,265,000, to remain available until expended (7 U.S.C. 2209b): *Provided*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$50,000 shall be available for employment under 5 U.S.C. 3109.

TITLE III

RURAL DEVELOPMENT PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR RURAL DEVELOPMENT

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

RURAL COMMUNITY ADVANCEMENT PROGRAM (INCLUDING TRANSFERS OF FUNDS)

For the cost of direct loans, loan guarantees, and grants, as authorized by 7 U.S.C. 1926, 1926a, 1926c, 1926d, and 1932, except for sections 381E, 381G, 381H, 381N, and 381O of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009f), \$666,103,000, to remain available until expended, of which \$34,387,000 shall be for rural community programs described in section 381E(d)(1) of such Act; of which \$579,216,000 shall be for the rural utilities programs described in sections 381E(d)(2), 306C(a)(2), and 306D of such Act; and of which \$52,500,000 shall be for the rural business and cooperative development programs described in sections 381E(d)(3) and 310B(f) of such Act: *Provided*, That of the amount appropriated for rural community programs, \$5,000,000 shall be made available for hazardous weather early warning systems; and \$6,000,000 shall be available for a Rural Community Development Initiative: *Provided further*, That of the amount appropriated for the rural business and cooperative development programs, not to exceed \$500,000 shall be made available for a grant to a qualified national organization to provide technical assistance for rural transportation in order to promote economic development; and \$5,000,000 shall be made available for partnership technical assistance grants to rural communities: *Provided further*, That of the amount appropriated for rural utilities programs, not to exceed \$20,000,000 shall be for water and waste disposal systems to benefit the Colonias along the United States/Mexico border, including grants pursuant to section 306C of such Act; not to exceed \$20,000,000 shall be for water and waste disposal systems for rural and native villages in Alaska pursuant to section 306D of such Act; not to exceed \$16,215,000 shall be for technical assistance grants for rural waste systems pursuant to section 306(a)(14) of such

Act; and not to exceed \$5,300,000 shall be for contracting with qualified national organizations for a circuit rider program to provide technical assistance for rural water systems: *Provided further*, That of the total amount appropriated, not to exceed \$45,245,000 shall be available through June 30, 2000, for empowerment zones and enterprise communities, as authorized by Public Law 103-66, of which \$2,106,000 shall be for rural community programs described in section 381E(d)(1) of the Consolidated Farm and Rural Development Act; of which \$34,704,000 shall be for the rural utilities programs described in section 381E(d)(2) of such Act; of which \$8,435,000 shall be for the rural business and cooperative development programs described in section 381E(d)(3) of such Act: *Provided further*, That any obligated and unobligated balances available from prior years for the "Rural Utilities Assistance Program" account shall be transferred to and merged with this account.

AMENDMENT NO. 12 OFFERED BY MR. SANDERS

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 12 offered by Mr. SANDERS: Page 35, line 7 (relating to the rural community advancement program), insert after the dollar amount the following: "(increased by \$3,000,000)".

Page 53, line 7 (relating to ocean freight differential grants), insert after the dollar amount the following: "(reduced by \$3,000,000)".

Mr. SANDERS. Mr. Chairman, the amendment I am offering would provide \$1 million in the rural community advancement program in order to fund a national pilot program to promote agritourism. The purpose of this program is to provide another means of income for America's struggling family farmers. I think the plight of the family farmer in America is well documented and I do not need to get into it at this time. But I believe that the body here knows that many, many thousands of hardworking family farmers are struggling to keep their farms afloat and to keep their heads above water. I am impressed with the work done in the chairman's home State of New Mexico with agritourism, and I know the gentleman from New Mexico has been very active in this program. I think it would be very useful to farmers in the State of Vermont and farmers throughout this country to expand this general concept into a national program. The concept here is that in States throughout this country, tourism brings in substantial sums of money. One of the reasons people come to the State of Vermont or come to many of the other beautiful States in this country is because of the work done by family farmers in keeping the land open and keeping our landscape beautiful.

Unfortunately, in many areas throughout the State, the farmers themselves do not substantially benefit from the tourism that comes into rural areas. So it seems to me that if we could get a pilot program developed at the Federal level by which States can

develop their own innovative programs, this would be a means by which tourism dollars can come into the hands of farmers and I think would well serve rural America.

My understanding, Mr. Chairman, is that the chairman of the committee has agreed to accept this amendment. I am very grateful to him for that.

Mr. SKEEN. Mr. Chairman, if the gentleman will yield, this amendment has a lot of value for the rural parts of the United States. We have a program in New Mexico that was patterned after the same one that the gentleman is headed for. We accept the amendment.

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

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

Ms. KAPTUR. I thank the gentleman for yielding. I just wanted to rise in support of this important amendment and to say that we would certainly want to encourage the Department of Agriculture to do as good a job as possible on linking many of the rural events around the country, many of our special fairs, rural shows, whether it is equipment, whether it is planting or whatever it might be. This is an incredible display of American innovation and creativity. I just really want to compliment the gentleman from Vermont (Mr. SANDERS) for seeing this opportunity which can benefit Vermont, an incredible State. I am so happy to have traveled there myself, just the sheer beauty of it would be of interest to our own people and people from abroad, but all of the counties and townships and communities across the country that are bringing forth their wares and their culture and to make this more open and available to people who are touring. I just think the gentleman has an excellent idea and support this amendment.

Mr. SANDERS. I thank both the chairman and the ranking member very much for their support. The bottom line is that we are all fighting very hard to see that our family farmers survive. Agritourism is one way we can get some cash into the pockets of our family farmers. I thank both the chairman and the ranking member for their support.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Vermont (Mr. SANDERS).

The amendment was agreed to.

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

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

For gross obligations for the principal amount of direct and guaranteed loans as authorized by title V of the Housing Act of 1949, to be available from funds in the rural housing insurance fund, as follows: \$4,537,632,000 for loans to section 502 borrowers, as determined by the Secretary, of which \$3,200,000,000 shall be for unsubsidized guaranteed loans; \$32,400,000 for section 504 housing repair loans; \$100,000,000 for section 538 guaranteed multi-family housing loans;

\$25,000,000 for section 514 farm labor housing; \$120,000,000 for section 515 rental housing; \$5,152,000 for section 524 site loans; \$7,503,000 for credit sales of acquired property, of which up to \$1,250,000 may be for multi-family credit sales; and \$5,000,000 for section 523 self-help housing land development loans.

For the cost of direct and guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, as follows: section 502 loans, \$133,620,000, of which \$19,520,000 shall be for unsubsidized guaranteed loans; section 504 housing repair loans, \$9,900,000; section 538 multi-family housing guaranteed loans, \$480,000; section 514 farm labor housing, \$11,308,000; section 515 rental housing, \$47,616,000; section 524 site loans, \$4,000; credit sales of acquired property, \$874,000, of which up to \$494,250 may be for multi-family credit sales; and section 523 self-help housing land development loans, \$281,000: *Provided*, That of the total amount appropriated in this paragraph, \$9,829,000 shall be for empowerment zones and enterprise communities, as authorized by Public Law 103-66, empowerment zones as authorized by Section 951 of the Taxpayer Relief Act of 1997 (Public Law 105-34), enterprise communities as authorized by Division A, Title VII, Section 766 of the Fiscal Year 1999 Omnibus Appropriations Act (Public Law 105-277), and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones: *Provided further*, That if such funds are not obligated for empowerment zones and enterprise communities by June 30, 2000, they shall remain available for other authorized purposes under this head.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, \$377,879,000, which shall be transferred to and merged with the appropriation for "Rural Housing Service, Salaries and Expenses".

AMENDMENT NO. 18 OFFERED BY MS. KAPTUR

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 18 offered by Ms. KAPTUR:

In the third paragraph under the headings "RURAL HOUSING SERVICE" and "RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT (INCLUDING TRANSFERS OF FUNDS)", strike the period at the end of the paragraph and insert the following: "": *Provided*, That of this amount the Secretary of Agriculture may transfer up to \$7,000,000 to the appropriation for "Outreach for Socially Disadvantaged Farmers".

Ms. KAPTUR. Mr. Chairman, this amendment relates to a special effort for outreach for our socially disadvantaged farmers. Members might recall, last year we made an effort to try to help the Department of Agriculture to resolve former civil rights problems that existed with loan programs and programs that were there to reach many of the small-scale farmers and ranchers, those grants that go through our 1890 and 1862 land grant institutions, American Indian community colleges, Hispanic- and Latino-serving institutions, as well as all minorities involved in agriculture. I think we did a good job of it. We took the unusual step of waiving statutes of limitation to allow complaints involving racial discrimination to move forward. This

amendment this year would not increase the budget but would merely allow the Secretary of Agriculture to transfer up to \$7 million from the rural housing salaries and expenses account to this program. If the Secretary uses the full authority to do that, that would mean that this outreach program for socially disadvantaged farmers would be brought up to the \$10 million request level by the administration for fiscal year 2000. This program is important, because it provides technical and managerial assistance to small-scale farmers and ranchers. There is a particular emphasis in the program on farmers from minority groups, but the program is not just limited to racial or ethnic minorities. It is carried out through grants to colleges and universities, including the 1890 and 1862 land grant institutions, American Indian community colleges and Hispanic- and Latino-serving institutions as well as through grants to community-based organizations throughout our country. These institutions and organizations in turn provide intensive training and management assistance to small farmers and ranchers. This assistance includes, for example, preparing individualized farm plans, helping in upgrading accounting systems, and applying for credit, aid and better understanding and taking advantage of USDA programs and services.

This outreach is especially crucial now because of the crisis afflicting rural America. And it is vital to helping small and minority farmers and ranchers weather these hard times and stay on the land. I think it also adds to an important civil rights sensitivity that we need to continue pressing at the U.S. Department of Agriculture.

I want to compliment Secretary Glickman and his staff for being open to the efforts of this Congress to serve all of America. For these reasons, I am pleased to offer this amendment. I greatly appreciate the support of the gentleman from New Mexico for this initiative, and I urge adoption of the amendment.

Mr. SKEEN. Mr. Chairman, I support the adoption of the gentlewoman's amendment. I thank her for her concern. The committee has increased funding for civil rights programs at USDA in the past several years but progress has fallen far short of their expectation.

□ 1230

The 2501 program has been moved within the bureaucracy several times, and it has never been audited. I believe the committee should look carefully at this program again next year to make sure that eligible farmers and ranchers get the full benefit of this particular amendment.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Ohio (Ms. KAPTUR).

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

RENTAL ASSISTANCE PROGRAM

For rental assistance agreements entered into or renewed pursuant to the authority under section 521(a)(2) or agreements entered into in lieu of debt forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Housing Act of 1949, as amended, \$583,400,000; and, in addition, such sums as may be necessary, as authorized by section 521(c) of the Act, to liquidate debt incurred prior to fiscal year 1992 to carry out the rental assistance program under section 521(a)(2) of the Act: *Provided*, That of this amount, not more than \$5,900,000 shall be available for debt forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Act, and not to exceed \$10,000 per project for advances to nonprofit organizations or public agencies to cover direct costs (other than purchase price) incurred in purchasing projects pursuant to section 502(c)(5)(C) of the Act: *Provided further*, That agreements entered into or renewed during fiscal year 2000 shall be funded for a five-year period, although the life of any such agreement may be extended to fully utilize amounts obligated.

MUTUAL AND SELF-HELP HOUSING GRANTS

For grants and contracts pursuant to section 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C. 1490c), \$28,000,000, to remain available until expended (7 U.S.C. 2209b): *Provided*, That of the total amount appropriated, \$1,000,000 shall be for empowerment zones and enterprise communities, as authorized by Public Law 103-66, empowerment zones as authorized by Section 951 of the Taxpayer Relief Act of 1997 (Public Law 105-34), enterprise communities as authorized by Division A, Title VII, Section 766 of the Fiscal Year 1999 Omnibus Appropriations Act (Public Law 105-277), and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones: *Provided further*, That if such funds are not obligated for empowerment zones and enterprise communities by June 30, 2000, they shall remain available for other authorized purposes under this head.

RURAL HOUSING ASSISTANCE GRANTS

For grants and contracts for housing for domestic farm labor, very low-income housing repair, supervisory and technical assistance, compensation for construction defects, and rural housing preservation made by the Rural Housing Service, as authorized by 42 U.S.C. 1474, 1479(c), 1486, 1490e, and 1490m, \$50,000,000, to remain available until expended: *Provided*, That of the total amount appropriated, \$3,250,000 shall be for empowerment zones and enterprise communities, as authorized by Public Law 103-66, empowerment zones as authorized by Section 951 of the Taxpayer Relief Act of 1997 (Public Law 105-34), enterprise communities as authorized by Division A, Title VII, Section 766 of the Fiscal Year 1999 Omnibus Appropriations Act (Public Law 105-277), and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones: *Provided further*, That if such funds are not obligated for empowerment zones and enterprise communities by June 30, 2000, they shall remain available for other authorized purposes under this head.

SALARIES AND EXPENSES

For necessary expenses of the Rural Housing Service, including administering the programs authorized by the Consolidated Farm and Rural Development Act, title V of the Housing Act of 1949, and cooperative agreements, \$61,979,000: *Provided*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C.

2225), and not to exceed \$520,000 may be used for employment under 5 U.S.C. 3109: *Provided further*, That the Administrator may expend not more than \$10,000 to provide modest non-monetary awards to non-USDA employees.

RURAL BUSINESS-COOPERATIVE SERVICE RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost of direct loans, \$22,799,000, as authorized by the Rural Development Loan Fund (42 U.S.C. 9812(a)): *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans of \$52,495,000: *Provided further*, That of the total amount appropriated, \$4,343,000 shall be available for the cost of direct loans for empowerment zones and enterprise communities, as authorized by Public Law 103-66, empowerment zones as authorized by Section 951 of the Taxpayer Relief Act of 1997 (Public Law 105-34), enterprise communities as authorized by Division A, Title VII, Section 766 of the Fiscal Year 1999 Omnibus Appropriations Act (Public Law 105-277), and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones, to subsidize gross obligations for the principal amount of direct loans, \$10,000,000: *Provided further*, That if such funds are not obligated for empowerment zones and enterprise communities by June 30, 2000, they shall remain available for other authorized purposes under this head.

In addition, for administrative expenses to carry out the direct loan programs, \$3,337,000 shall be transferred to and merged with the appropriation for "Rural Business-Cooperative Service, Salaries and Expenses".

RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the principal amount of direct loans, as authorized under section 313 of the Rural Electrification Act, for the purpose of promoting rural economic development and job creation projects, \$15,000,000.

For the cost of direct loans, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, \$3,453,000.

Of the funds derived from interest on the cushion of credit payments in fiscal year 2000, as authorized by section 313 of the Rural Electrification Act of 1936, \$3,453,000 shall not be obligated and \$3,453,000 are rescinded.

RURAL COOPERATIVE DEVELOPMENT GRANTS

For rural cooperative development grants authorized under section 310B(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932), \$6,000,000, of which \$1,500,000 shall be available for cooperative agreements for the appropriate technology transfer for rural areas program and \$1,500,000 for cooperative research agreements.

SALARIES AND EXPENSES

For necessary expenses of the Rural Business-Cooperative Service, including administering the programs authorized by the Consolidated Farm and Rural Development Act; section 1323 of the Food Security Act of 1985; the Cooperative Marketing Act of 1926; for activities relating to the marketing aspects of cooperatives, including economic research findings, as authorized by the Agricultural Marketing Act of 1946; for activities with institutions concerning the development and operation of agricultural cooperatives; and for cooperative agreements; \$24,612,000: *Provided*, That this appropriation shall be available for employment pursuant to the second

sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$260,000 may be used for employment under 5 U.S.C. 3109.

RURAL UTILITIES SERVICE

RURAL ELECTRIFICATION AND TELECOMMUNICATIONS LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

Insured loans pursuant to the authority of section 305 of the Rural Electrification Act of 1936 (7 U.S.C. 935) shall be made as follows: 5 percent rural electrification loans, \$121,500,000; 5 percent rural telecommunications loans, \$75,000,000; cost of money rural telecommunications loans, \$300,000,000; municipal rate rural electric loans, \$295,000,000; and loans made pursuant to section 306 of that Act, rural electric, \$1,500,000,000 and rural telecommunications, \$120,000,000, to remain available until expended.

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, including the cost of modifying loans, of direct and guaranteed loans authorized by the Rural Electrification Act of 1936 (7 U.S.C. 935 and 936), as follows: cost of rural electric loans, \$11,922,000, and the cost of telecommunications loans, \$3,210,000: *Provided*, That notwithstanding section 305(d)(2) of the Rural Electrification Act of 1936, borrower interest rates may exceed 7 percent per year.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, \$31,046,000, which shall be transferred to and merged with the appropriation for "Rural Utilities Service, Salaries and Expenses".

RURAL TELEPHONE BANK PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

The Rural Telephone Bank is hereby authorized to make such expenditures, within the limits of funds available to such corporation in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as may be necessary in carrying out its authorized programs. During fiscal year 2000 and within the resources and authority available, gross obligations for the principal amount of direct loans shall be \$175,000,000.

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, including the cost of modifying loans, of direct loans authorized by the Rural Electrification Act of 1936 (7 U.S.C. 935), \$3,290,000.

In addition, for administrative expenses necessary to carry out the loan programs, \$3,000,000, which shall be transferred to and merged with the appropriation for "Rural Utilities Service, Salaries and Expenses".

DISTANCE LEARNING AND TELEMEDICINE PROGRAM

For the cost of direct loans and grants, as authorized by 7 U.S.C. 950aaa et seq., \$16,700,000, to remain available until expended, to be available for loans and grants for telemedicine and distance learning services in rural areas: *Provided*, That the costs of direct loans shall be as defined in section 502 of the Congressional Budget Act of 1974.

SALARIES AND EXPENSES

For necessary expenses of the Rural Utilities Service, including administering the programs authorized by the Rural Electrification Act of 1936, and the Consolidated Farm and Rural Development Act, and for cooperative agreements, \$34,107,000: *Provided*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$105,000 may be used for employment under 5 U.S.C. 3109.

TITLE IV

DOMESTIC FOOD PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR FOOD, NUTRITION AND CONSUMER SERVICES

For necessary salaries and expenses of the Office of the Under Secretary for Food, Nutrition and Consumer Services to administer the laws enacted by the Congress for the Food and Nutrition Service, \$554,000.

FOOD AND NUTRITION SERVICE

CHILD NUTRITION PROGRAMS

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the National School Lunch Act (42 U.S.C. 1751 et seq.), except section 21, and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), except sections 17 and 21; \$9,547,028,000, to remain available through September 30, 2001, of which \$4,611,829,000 is hereby appropriated and \$4,935,199,000 shall be derived by transfer from funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c): *Provided*, That none of the funds made available under this heading shall be used for studies and evaluations: *Provided further*, That up to \$4,363,000 shall be available for independent verification of school food service claims: *Provided further*, That none of the funds under this heading shall be available unless the value of bonus commodities provided under section 32 of the Act of August 24, 1935 (49 Stat. 774, chapter 641; 7 U.S.C. 612c), and section 416 of the Agricultural Act of 1949 (7 U.S.C. 1431) is included in meeting the minimum commodity assistance requirement of section 6(g) of the National School Lunch Act (42 U.S.C. 1755(g)).

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

For necessary expenses to carry out the special supplemental nutrition program as authorized by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), \$4,005,000,000, to remain available through September 30, 2001: *Provided*, That none of the funds made available under this heading shall be used for studies and evaluations: *Provided further*, That of the total amount available, the Secretary shall obligate \$10,000,000 for the farmers' market nutrition program within 45 days of the enactment of this Act, and an additional \$5,000,000 for the farmers' market nutrition program from any funds not needed to maintain current caseload levels: *Provided further*, That none of the funds in this Act shall be available to pay administrative expenses of WIC clinics except those that have an announced policy of prohibiting smoking within the space used to carry out the program: *Provided further*, That none of the funds provided in this account shall be available for the purchase of infant formula except in accordance with the cost containment and competitive bidding requirements specified in section 17 of the Child Nutrition Act of 1966.

FOOD STAMP PROGRAM

For necessary expenses to carry out the Food Stamp Act (7 U.S.C. 2011 et seq.), \$21,577,444,000, of which \$100,000,000 shall be placed in reserve for use only in such amounts and at such times as may become necessary to carry out program operations: *Provided*, That none of the funds made available under this head shall be used for studies and evaluations: *Provided further*, That funds provided herein shall be expended in accordance with section 16 of the Food Stamp Act: *Provided further*, That this appropriation shall be subject to any work registration or welfare requirements as may be required by law: *Provided further*, That funds made available for Employment and Training under this head shall remain available until expended, as authorized by section 16(h)(1) of the Food Stamp Act.

COMMODITY ASSISTANCE PROGRAM

For necessary expenses to carry out the commodity supplemental food program as authorized by section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note) and the Emergency Food Assistance Act of 1983, \$141,000,000, to remain available through September 30, 2001: *Provided*, That none of these funds shall be available to reimburse the Commodity Credit Corporation for commodities donated to the program.

FOOD DONATIONS PROGRAMS

For necessary expenses to carry out section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note); special assistance for the nuclear affected islands as authorized by section 103(h)(2) of the Compacts of Free Association Act of 1985, as amended; and section 311 of the Older Americans Act of 1965 (42 U.S.C. 3030a), \$141,081,000, to remain available through September 30, 2001.

FOOD PROGRAM ADMINISTRATION

For necessary administrative expenses of the domestic food programs funded under this Act, \$108,561,000, of which \$5,000,000 shall be available only for simplifying procedures, reducing overhead costs, tightening regulations, improving food stamp coupon handling, and assistance in the prevention, identification, and prosecution of fraud and other violations of law: *Provided*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$150,000 shall be available for employment under 5 U.S.C. 3109.

TITLE V

FOREIGN ASSISTANCE AND RELATED PROGRAMS

FOREIGN AGRICULTURAL SERVICE AND GENERAL SALES MANAGER

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Foreign Agricultural Service, including carrying out title VI of the Agricultural Act of 1954 (7 U.S.C. 1761-1768), market development activities abroad, and for enabling the Secretary to coordinate and integrate activities of the Department in connection with foreign agricultural work, including not to exceed \$128,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), \$137,768,000: *Provided*, That the Service may utilize advances of funds, or reimburse this appropriation for expenditures made on behalf of Federal agencies, public and private organizations and institutions under agreements executed pursuant to the agricultural food production assistance programs (7 U.S.C. 1736) and the foreign assistance programs of the United States Agency for International Development.

None of the funds in the foregoing paragraph shall be available to promote the sale or export of tobacco or tobacco products.

PUBLIC LAW 480 PROGRAM ACCOUNT

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, of Public Law 83-480 title I credit agreements, including the cost of modifying credit arrangements under said Act, \$165,400,000, to remain available until expended.

In addition, for administrative expenses to carry out such title I credit program, and the Food for Progress Act of 1985, as amended, to the extent funds appropriated for Public Law 83-480 are utilized, \$1,938,000, of which not to exceed \$1,093,000 may be transferred to and merged with "Salaries and Expenses", Foreign Agricultural Service, and of

which not to exceed \$845,000 may be transferred to and merged with "Salaries and Expenses", Farm Service Agency (7 U.S.C. 1691, 1701-04, 1731-36g-3, 2209b).

PUBLIC LAW 480 TITLE I OCEAN FREIGHT
DIFFERENTIAL GRANTS

For expenses during the current fiscal year, not otherwise recoverable, and unrecovered prior years' costs, including interest thereon under the Agricultural Trade Development and Assistance Act of 1954, as amended, \$14,000,000, to remain available until expended for ocean freight differential costs for the shipment of agricultural commodities pursuant to title I of said Act, including Food for Progress programs as authorized by the Food for Progress Act of 1985, as amended: *Provided*, That funds made available for the cost of title I agreements and for title I ocean freight differential may be used interchangeably between the two accounts (7 U.S.C. 1701b, 2209b).

PUBLIC LAW 480 GRANTS—TITLES II AND III
(INCLUDING TRANSFERS OF FUNDS)

For expenses during the current fiscal year, not otherwise recoverable, and unrecovered prior years' costs, including interest thereon, under the Agricultural Trade Development and Assistance Act of 1954, as amended, \$837,000,000 for commodities supplied in connection with dispositions abroad pursuant to title II of said Act: *Provided*, That sums made available to carry out title II or title III of said Act shall remain available until September 30, 2003 (7 U.S.C. 1691, 1721-26a, 1727-27e, 1731-36g-3, 1737, 2209b).

Of the funds made available by this Act to carry out the Agricultural Trade Development and Assistance Act of 1954, not to exceed 15 percent of the funds made available to carry out any title of said Act may be used to carry out any other title of said Act.

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

For administrative expenses to carry out the Commodity Credit Corporation's export guarantee program, GSM 102 and GSM 103, \$4,085,000; to cover common overhead expenses as permitted by section 11 of the Commodity Credit Corporation Charter Act and in conformity with the Federal Credit Reform Act of 1990, of which \$3,413,000 may be transferred to and merged with the appropriation for "Foreign Agricultural Service and General Sales Manager" and \$672,000 may be transferred to and merged with the appropriation for "Farm Service Agency, Salaries and Expenses".

TITLE VI

FOOD AND DRUG ADMINISTRATION AND
RELATED AGENCIES
DEPARTMENT OF HEALTH AND HUMAN
SERVICES

FOOD AND DRUG ADMINISTRATION
SALARIES AND EXPENSES

For necessary expenses of the Food and Drug Administration, including hire and purchase of passenger motor vehicles; for payment of space rental and related costs pursuant to Public Law 92-313 for programs and activities of the Food and Drug Administration which are included in this Act; for rental of special purpose space in the District of Columbia or elsewhere; and for miscellaneous and emergency expenses of enforcement activities, authorized and approved by the Secretary and to be accounted for solely on the Secretary's certificate, not to exceed \$25,000; \$1,218,384,000, of which not to exceed \$145,434,000 in prescription drug user fees authorized by 21 U.S.C. 379(h) may be credited to this appropriation and remain available until expended: *Provided*, That no more than

\$100,180,000 shall be for payments to the General Services Administration for rent and related costs.

In addition, mammography user fees authorized by 42 U.S.C. 263(b) may be credited to this account, to remain available until expended.

In addition, export certification user fees authorized by 21 U.S.C. 381 may be credited to this account, to remain available until expended.

BUILDINGS AND FACILITIES

For plans, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of or used by the Food and Drug Administration, where not otherwise provided, \$31,750,000, to remain available until expended (7 U.S.C. 2209b).

INDEPENDENT AGENCIES

COMMODITY FUTURES TRADING COMMISSION

For necessary expenses to carry out the provisions of the Commodity Exchange Act (7 U.S.C. 1 et seq.), including the purchase and hire of passenger motor vehicles; the rental of space (to include multiple year leases) in the District of Columbia and elsewhere; and not to exceed \$25,000 for employment under 5 U.S.C. 3109, \$65,000,000, including not to exceed \$2,000 for official reception and representation expenses: *Provided*, That the Commission is authorized to charge reasonable fees to attendees of Commission sponsored educational events and symposia to cover the Commission's costs of providing those events and symposia, and notwithstanding 31 U.S.C. 3302, said fees shall be credited to this account, to be available without further appropriation.

FARM CREDIT ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed \$35,800,000 (from assessments collected from farm credit institutions and from the Federal Agricultural Mortgage Corporation) shall be obligated during the current fiscal year for administrative expenses as authorized under 12 U.S.C. 2249: *Provided*, That this limitation shall not apply to expenses associated with receiverships.

TITLE VII—GENERAL PROVISIONS

SEC. 701. Within the unit limit of cost fixed by law, appropriations and authorizations made for the Department of Agriculture for the fiscal year 2000 under this Act shall be available for the purchase, in addition to those specifically provided for, of not to exceed 365 passenger motor vehicles, of which 361 shall be for replacement only, and for the hire of such vehicles.

SEC. 702. Funds in this Act available to the Department of Agriculture shall be available for uniforms or allowances therefor as authorized by law (5 U.S.C. 5901-5902).

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

Mr. Chairman, it is not to offer an amendment. I just want to assure the chairman and ranking member there was a statement I wanted to make very briefly concerning the Food and Drug Administration Modernization Act which was a significant reform allowing for the expedited approval of food contract substances principally used in plastic, paper and aluminum food packaging, and under this innovative program approvals which currently take unto 6 years can be accomplished in as little as 120 days while still assuring the safety of these materials. Employers in my district would benefit from this program which would speed the introduction of new packaging materials and new uses for existing ones.

I appreciate the committee's statement recognizing the value of this regulatory reform, but I am concerned that the necessary funds have yet to be appropriated since both the committee and the administration are counting on the authorization of user fees. Although the industries benefiting from this program are willing to support reasonable use of fees, an authorization by Congress this year is not guaranteed. In fact, as of today no fee authorization bill has been introduced much less discussed in any detail.

I just wanted to point this out and I say it would be a shame if this innovative new program were to fall between the cracks, and as this bill moves along, in the process I would hope that the chairman and ranking member would work to assure that at least the authorized levels of funding could be made available in the event that a fee system cannot be enacted in time for Fiscal Year 2000.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 703. Not less than \$1,500,000 of the appropriations of the Department of Agriculture in this Act for research and service work authorized by the Acts of August 14, 1946, and July 28, 1954 (7 U.S.C. 427 and 1621-1629), and by chapter 63 of title 31, United States Code, shall be available for contracting in accordance with said Acts and chapter.

SEC. 704. The cumulative total of transfers to the Working Capital Fund for the purpose of accumulating growth capital for data services and National Finance Center operations shall not exceed \$2,000,000: *Provided*, That no funds in this Act appropriated to an agency of the Department shall be transferred to the Working Capital Fund without the approval of the agency administrator.

SEC. 705. New obligational authority provided for the following appropriation items in this Act shall remain available until expended (7 U.S.C. 2209b): Animal and Plant Health Inspection Service, the contingency fund to meet emergency conditions, fruit fly program, integrated systems acquisition project, boll weevil program, up to 10 percent of the screwworm program, and up to \$2,000,000 for costs associated with collocating regional offices; Farm Service Agency, salaries and expenses funds made available to county committees; and Foreign Agricultural Service, middle-income country training program.

New obligational authority for the Food Safety and Inspection Service, field automation and information management project; funds appropriated for rental payments; funds for the Native American Institutions Endowment Fund in the Cooperative State Research, Education, and Extension Service; and funds for the competitive research grants (7 U.S.C. 450i(b)), shall remain available until expended.

SEC. 706. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 707. Not to exceed \$50,000 of the appropriations available to the Department of Agriculture in this Act shall be available to provide appropriate orientation and language training pursuant to Public Law 94-449.

SEC. 708. No funds appropriated by this Act may be used to pay negotiated indirect cost rates on cooperative agreements or similar

arrangements between the United States Department of Agriculture and nonprofit institutions in excess of 10 percent of the total direct cost of the agreement when the purpose of such cooperative arrangements is to carry out programs of mutual interest between the two parties. This does not preclude appropriate payment of indirect costs on grants and contracts with such institutions when such indirect costs are computed on a similar basis for all agencies for which appropriations are provided in this Act.

SEC. 709. Notwithstanding any other provision of this Act, commodities acquired by the Department in connection with Commodity Credit Corporation and section 32 price support operations may be used, as authorized by law (15 U.S.C. 714c and 7 U.S.C. 612c), to provide commodities to individuals in cases of hardship as determined by the Secretary of Agriculture.

SEC. 710. None of the funds in this Act shall be available to restrict the authority of the Commodity Credit Corporation to lease space for its own use or to lease space on behalf of other agencies of the Department of Agriculture when such space will be jointly occupied.

SEC. 711. None of the funds in this Act shall be available to pay indirect costs charged against agricultural research, education, or extension grant awards issued by the Cooperative State Research, Education, and Extension Service that exceed 19 percent of total Federal funds provided under each award: *Provided*, That notwithstanding section 1462 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3310), funds provided by this Act for grants awarded competitively by the Cooperative State Research, Education, and Extension Service shall be available to pay full allowable indirect costs for each grant awarded under the Small Business Innovation Development Act of 1982, Public Law 97-219 (15 U.S.C. 638).

SEC. 712. Notwithstanding any other provision of this Act, all loan levels provided in this Act shall be considered estimates, not limitations.

SEC. 713. Appropriations for the Rural Housing Insurance Fund Program Account for the cost of direct and guaranteed loans made available in fiscal years 1994, 1995, 1996, 1997, 1998, and 1999 shall remain available until expended to cover obligations made in each of those fiscal years respectively in accordance with 31 U.S.C. 1557.

SEC. 714. Appropriations to the Department of Agriculture for the cost of direct and guaranteed loans made available in fiscal year 2000 shall remain available until expended to cover obligations made in fiscal year 2000 for the following accounts: the rural development loan fund program account; the Rural Telephone Bank program account; the rural electrification and telecommunications loans program account; the Rural Housing Insurance Fund Program Account; and the rural economic development loans program account.

SEC. 715. Such sums as may be necessary for fiscal year 2000 pay raises for programs funded by this Act shall be absorbed within the levels appropriated by this Act.

SEC. 716. Notwithstanding the Federal Grant and Cooperative Agreement Act, marketing services of the Agricultural Marketing Service; Grain Inspection, Packers and Stockyards Administration; the Animal and Plant Health Inspection Service; and the food safety activities of the Food Safety and Inspection Service may use cooperative agreements to reflect a relationship between the Agricultural Marketing Service, the Grain Inspection, Packers and Stockyards Administration, the Animal and Plant Health Inspection Service, or the Food Safe-

ty and Inspection Service and a State or Cooperator to carry out agricultural marketing programs, to carry out programs to protect the Nation's animal and plant resources, or to carry out educational programs or special studies to improve the safety of the Nation's food supply.

SEC. 717. Notwithstanding the Federal Grant and Cooperative Agreement Act, the Natural Resources Conservation Service may enter into contracts, grants, or cooperative agreements with a State agency or subdivision, or a public or private organization, for the acquisition of goods or services, including personal services, to carry out natural resources conservation activities: *Provided*, That Commodity Credit Corporation funds obligated for such purposes shall not exceed the level obligated by the Commodity Credit Corporation for such purposes in fiscal year 1998.

SEC. 718. None of the funds in this Act may be used to retire more than 5 percent of the Class A stock of the Rural Telephone Bank or to maintain any account or subaccount within the accounting records of the Rural Telephone Bank the creation of which has not specifically been authorized by statute: *Provided*, That notwithstanding any other provision of law, none of the funds appropriated or otherwise made available in this Act may be used to transfer to the Treasury or to the Federal Financing Bank any unobligated balance of the Rural Telephone Bank telephone liquidating account which is in excess of current requirements and such balance shall receive interest as set forth for financial accounts in section 505(c) of the Federal Credit Reform Act of 1990.

SEC. 719. Of the funds made available by this Act, not more than \$1,800,000 shall be used to cover necessary expenses of activities related to all advisory committees, panels, commissions, and task forces of the Department of Agriculture, except for panels used to comply with negotiated rule makings and panels used to evaluate competitively awarded grants: *Provided*, That interagency funding is authorized to carry out the purposes of the National Drought Policy Commission.

SEC. 720. None of the funds appropriated in this Act may be used to carry out the provisions of section 918 of Public Law 104-127, the Federal Agriculture Improvement and Reform Act.

SEC. 721. No employee of the Department of Agriculture may be detailed or assigned from an agency or office funded by this Act to any other agency or office of the Department for more than 30 days unless the individual's employing agency or office is fully reimbursed by the receiving agency or office for the salary and expenses of the employee for the period of assignment.

SEC. 722. None of the funds appropriated or otherwise made available to the Department of Agriculture shall be used to transmit or otherwise make available to any non-Department of Agriculture employee questions or responses to questions that are a result of information requested for the appropriations hearing process.

SEC. 723. None of the funds made available to the Department of Agriculture by this Act may be used to acquire new information technology systems or significant upgrades, as determined by the Office of the Chief Information Officer, without the approval of the Chief Information Officer and the concurrence of the Executive Information Technology Investment Review Board: *Provided*, That notwithstanding any other provision of law, none of the funds appropriated or otherwise made available by this Act may be transferred to the Office of the Chief Information Officer without the prior approval of the Committee on Appropriations of both Houses of Congress.

SEC. 724. (a) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2000, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds which: (1) creates new programs; (2) eliminates a program, project, or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employees; (5) reorganizes offices, programs, or activities; or (6) contracts out or privatizes any functions or activities presently performed by Federal employees; unless the Committee on Appropriations of both Houses of Congress are notified fifteen days in advance of such reprogramming of funds.

(b) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2000, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming of funds in excess of \$500,000 or 10 percent, whichever is less, that: (1) augments existing programs, projects, or activities; (2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or (3) results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress; unless the Committee on Appropriations of both Houses of Congress are notified fifteen days in advance of such reprogramming of funds.

SEC. 725. None of the funds appropriated or otherwise made available by this Act or any other Act may be used to pay the salaries and expenses of personnel to carry out the Fund for Rural America Program, authorized by section 793 of Public Law 104-127, with the exception of funds made available under that section on January 1, 1997.

SEC. 726. None of the funds appropriated or otherwise made available by this Act shall be used to pay the salaries and expenses of personnel who carry out an environmental quality incentives program authorized by sections 334-341 of Public Law 104-127 in excess of \$174,000,000.

SEC. 727. None of the funds appropriated or otherwise available to the Department of Agriculture may be used to administer the provision of contract payments to a producer under the Agricultural Market Transition Act (7 U.S.C. 7201 et seq.) for contract acreage on which wild rice is planted unless the contract payment is reduced by an acre for each contract acre planted to wild rice.

SEC. 728. None of the funds appropriated or otherwise made available by this Act shall be used to pay the salaries and expenses of personnel to enroll in excess of 120,000 acres in the fiscal year 2000 wetlands reserve program as authorized by 16 U.S.C. 3837.

SEC. 729. None of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to carry out the provisions of section 401 of Public Law 105-185, the Initiative for Future Agriculture and Food Systems.

SEC. 730. Notwithstanding section 381A of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009), the definitions of rural areas for certain business programs administered by the Rural Business-Cooperative Service and the community facilities

programs administered by the Rural Housing Service shall be those provided for in statute and regulations prior to the enactment of Public Law 104-127.

SEC. 731. None of the funds appropriated or otherwise made available by this Act shall be used to carry out any commodity purchase program that would prohibit eligibility or participation by farmer-owned cooperatives.

SEC. 732. None of the funds appropriated or otherwise made available by this Act shall be used to pay the salaries and expenses of personnel to carry out a conservation farm option program, as authorized by section 335 of Public Law 104-127.

SEC. 733. 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 user fees proposals are not enacted prior to the date of the convening of a committee of conference for the fiscal year 2001 appropriations Act.

SEC. 734. None of the funds appropriated or otherwise made available by this Act shall be used to establish an Office of Community Food Security or any similar office within the United States Department of Agriculture without the prior approval of the Committee on Appropriations of both Houses of Congress.

SEC. 735. None of the funds appropriated or otherwise made available by this or any other Act may be used to carry out the provisions of section 612 of Public Law 105-185, the National Swine Research Center.

SEC. 736. (a) None of the funds appropriated or otherwise made available by this Act shall be used to pay the salaries and expenses of personnel to carry out the emergency food assistance program authorized by section 27(a) of the Food Stamp Act (7 U.S.C. 2036(a)) if such program exceeds \$99,000,000.

(b) In addition to amounts otherwise appropriated or made available by this Act, \$1,000,000 is appropriated for the purpose of providing Bill Emerson and Mickey Leland Hunger Fellowships through the Congressional Hunger Center, which is an organization described in subsection (c)(3) of section 501 of the Internal Revenue Code of 1986 and is exempt from taxation under subsection (a) of such section.

SEC. 737. None of the funds appropriated by this Act shall be used to propose or issue rules, regulations, decrees, or orders for the purpose of implementation, or in preparation for implementation of the Kyoto Protocol which was adopted on December 11, 1997, in Kyoto, Japan.

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

Mr. Chairman, I just wanted to inform the membership this bill has been moving at record speeds today, and I want to express my personal appreciation to the majority for avoiding the kind of difficulty we faced on the floor the week before last on this bill. We have several Members that had wanted to offer amendments to the bill, and I think some of them did not anticipate it would have moved as swiftly as it has this afternoon, and I just wanted to

make sure and put on the record that there may be some remaining amendments.

Mr. Chairman, I see the gentlewoman from Florida (Mrs. MEEK) is rising to her feet here, and there may be some other Members who were not aware until just a few moments ago that this bill would be on the floor and moving as expeditiously as it has today.

□ 1245

So I just wanted to reemphasize that point and give our Members an opportunity to come to the floor. We have attempted to call their offices and so forth.

AMENDMENT NO. 7 OFFERED BY MRS. MEEK OF FLORIDA

Mrs. MEEK of Florida. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 7 offered by Mrs. MEEK of Florida:

Add before the short title the following new section:

SEC. _____. After March 1, 2000, none of the funds appropriated or otherwise available by this Act may be used by the Secretary of Agriculture—

(1) to permit the importation of meat or meat food products under subsections (a) and (f) of section 20 of the Federal Meat Inspection Act (21 U.S.C. 620) from any foreign country in violation of subsection (f) of such section; and

(2) to permit the importation of poultry or poultry products under subsection (a) of section 17 of the Poultry Products Inspection Act (21 U.S.C. 466) from any foreign country in violation of subsection (d) of such section.

Mrs. MEEK of Florida. Mr. Chairman, my amendment helps to protect United States consumers from unsafe foreign meat and poultry. What it does, it ensures fairness to protect our meat and our poultry products from unfair competition and it directs the United States Department of Agriculture to influence our current food safety laws.

What this amendment does is necessarily ensures that USDA will follow and enforce its laws. What it does is it will cut off funds for them for permitting the import of meat and poultry from any foreign country unless USDA determines that the inspection system of that foreign country is equivalent and actually provides a level of safety equivalent to what we require of the meat and poultry people in this country.

We want to be sure that that equivalency is established. If it is not, this amendment would certainly cut off funds to that foreign country.

Ms. KAPTUR. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I want to rise in strong support of the gentlewoman's amendment and her efforts to protect our consumers. Without question, food safety has to be a number one priority and responsibility of this committee. The National Cattlemen's Beef Association has been promoting this for a number of years. Why should not for-

eign meat imported into this country adhere to the same rigorous standards that our livestock producers here at home must meet?

Last year we know the Department, I think the gentlewoman referenced, allowed \$3 billion, with a B, pounds of meat and poultry to be imported from 32 foreign countries on to our shores. This amendment simply requires USDA to enforce our food safety laws and protect our consumers.

I just want to make sure that the letter from the National Cattlemen's Beef Association is entered into the RECORD as part of this amendment, and I rise in strong support of the gentlewoman's amendment.

NATIONAL CATTLEMEN'S
BEEF ASSOCIATION,

Washington, DC, May 24, 1999.

Hon. CARRIE P. MEEK,
House of Representatives, Cannon House Office
Building, Washington, DC.

DEAR REP. MEEK: On behalf of the members of the National Cattlemen's Beef Association (NCBA), I wanted to inform you that NCBA supports the language on inspection equivalency you plan to offer to the FY 2000 House Agriculture Appropriations measure. We appreciate your staff reviewing the proposed amendment with us.

NCBA strongly supports measures that work, through sound science, to ensure the safety and wholesomeness of the U.S. food supply. In addition, we are constantly engaged in trade discussions and disputes with other countries who use the "equivalency" issue as a barrier to U.S. beef and other livestock products. Your proposed amendment certainly would reiterate the Secretary of Agriculture's important role in making sure that any beef, other meat, or poultry products imported into the United States adhere to the same rigorous standards that America's cattlemen and women, and other livestock producers meet.

Thank you for your leadership on this matter. We look forward to its successful inclusion in the Agriculture Appropriations package. Please let us know if we can be of assistance in this effort.

Sincerely,

DALE W. MOORE,
Executive Director,
Legislative Affairs.

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

Mr. Chairman, we have sent this amendment in its earlier version to the USDA but received no formal comment. We have been told that the administrator of the Food Safety Inspection Service has concerns about the amendment, but we do not know what those concerns are at this time. I think we can all agree with the heart of the amendment, that imported food ought to meet the same standard as the domestic products. There are important trade and food safety considerations here, and I would have liked some time to hear from the administration.

Nevertheless, I am prepared to support the gentlewoman's amendment, with the understanding that we will need to work together before the conference to give the administration an opportunity to be involved.

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

Mr. Chairman, I want to go on record as supporting this amendment. As a physician and as a Member of Congress from a cattle and farm State, to me it is unconscionable that we can produce cattle and butcher it in the State of Oklahoma and ship it to Kansas under great quality standards, but, at the same time, meat produced outside of this country can come anywhere in this country and not meet those same standards.

I would like to say, as a Member of Congress from a cattle producing State, that this not only makes sense from a standpoint of food safety, but also is eminently fair to our cattle producers and our consumers. This will not raise the cost. What it will do is assure that the American consumer is getting what they paid for. The imported goods coming into this country ought to have to meet the same standard as the provider of goods in this country domestically produced. So I support the amendment.

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

Mr. Chairman, I want to echo those comments and I want to support very strongly the amendment offered by the gentlewoman from Florida. Her efforts in this regard will not only help with the safety standards, but, keep in mind, in the last several years, where we used to inspect trucks coming across Mexico and Canada, now you have trucks coming from Canada with Australian ground beef that is not even being inspected on some occasions.

Now, yes, this may pose some hardship on our regulatory system, but it is very much overdue and there is a tremendous economic factor involved here as well.

Our farmers have sold hogs at 7 cents a pound live weight. My God, the one thing we can do is ensure that the same hoops and hurdles our farmers have to overcome shall be the world's hurdles and hoops as well to ensure safety and quality and standardization of product.

So I want to compliment the distinguished gentlewoman. It is a great amendment and I support the amendment.

Mrs. MEEK of Florida. Mr. Chairman, I ask unanimous consent to strike the requisite number of words.

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

There was no objection.

Mrs. MEEK of Florida. Mr. Chairman, I just wanted to say if anyone has ever suffered from salmonella from eating unsafe meat and poultry, they would understand the significance of this amendment. Why should our consumers be subjected to this very illness-causing disease and have these foreign countries being able to bring in meats and poultry without an equivalent kind of thing?

In speaking to the USDA, the USDA cannot clearly speak to this amend-

ment because they do not have any facts, any substantive facts, that will prove that what they are accepting is equivalent, because last year, the last time, it looks as if USDA is not really enforcing the congressional directive, and we need this tough new inspection system, and it is a key part of it, to take these samples of meat.

In closing, I want to thank the Congress, because this is a very, very essential matter to the health and welfare of our Nation.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Florida (Mrs. MEEK).

The amendment was agreed to.

AMENDMENT NO. 16 OFFERED BY MR. TRAFICANT

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 16 offered by Mr. TRAFICANT:

SEC. _____. None of the funds appropriated or otherwise made available by this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with sections 2 through 4 of the Act of March 8, 1933 (41 U.S.C. 10a-10c; popularly known as the "Buy American Act").

SEC. _____. (a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or products that may be purchased using financial assistance provided using funds appropriated or otherwise made available by this Act, it is the sense of the Congress that entities receiving such assistance should, in expending the assistance, purchase only American-made equipment and products.

(b) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance using funds appropriated or otherwise made available by this Act, the Federal agency providing the assistance shall provide to each recipient of the assistance a notice describing the statement made in subsection (a) by the Congress.

SEC. _____. If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a "Made in America" inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, such person shall be ineligible to receive any contract or subcontract made with funds appropriated or otherwise made available by this Act, pursuant to the debarment, suspension, and ineligibility procedures described in section 9.400 through 9.409 of title 48, Code of Federal Regulations.

Mr. TRAFICANT. Mr. Chairman, this deals with the "Buy American" provision that says in the case of any equipment or products that may be purchased using any financial assistance under this bill, it is the sense of our Congress that those receiving such assistance should purchase American-made goods. It gives a notice to that effect. Most importantly, this provision also states in its final section that if it is determined by a court or Federal agency that any person has intentionally affixed a label bearing a "Made in America" inscription, or any inscription connoting the same meaning, to any product sold in or shipped

to the United States that is actually not made in the United States, those people shall be ineligible to receive any contract, award or subcontract that is made available by this act. The bottom line, if you are saying it is made in America, it better be.

Finally, when we are going to spend hard-earned tax dollars of farmers that are getting hit from all ends, we should try and buy American-made goods. That just makes good sense.

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

Mr. Chairman, we thought so much of the gentleman's amendment that we made it permanent law 2 years ago. I am happy to accommodate the gentleman and put this item in the fiscal year 2000 bill as well.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. TRAFICANT).

The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MR. DEFAZIO

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mr. DEFAZIO:

Insert before the short title the following new section:

SEC. _____. (a) LIMITATION.—None of the funds appropriated or otherwise made available by this Act for Wildlife Services Program operations to carry out the first section of the Act of March 2, 1931 (7 U.S.C. 426), may be used to conduct campaigns for the destruction of wild animals for the purpose of protecting livestock.

(b) CORRESPONDING REDUCTION IN FUNDS.—The amount otherwise provided by this Act for salaries and expenses under the heading "ANIMAL AND PLANT HEALTH INSPECTION SERVICE" is hereby reduced by \$7,000,000.

Mr. DEFAZIO. Mr. Chairman, this is an issue which the House is revisiting for the second year in a row. Last year there was a lot of confusion around this vote. I tried to make it much more explicit and simple this year.

This amendment cuts funds only for lethal predator control to protect private livestock on private or leased land in the western United States. That is what this does.

Now, we are going to hear that actually this amendment will cause brown tree snakes to invade Hawaii, it will cause tuberculosis to spread in the northern Midwest, it will cause plague in the Southwest, it will cause planes at National Airport to crash.

No. In fact, all of those other activities would be enhanced, more money would be spent on those activities, if animal damage control, wildlife services, dropped their obsession with this failing environmentally and biologically unsound wasteful subsidy of spending \$10 million, and this does not even cut every penny they are spending on lethal predator control in the western United States, if they just dropped their obsession and the subsidy.

I also offer that the ranchers would come out ahead. Nothing in this

amendment would prohibit a rancher from controlling predators that are problems on their own property, owned or leased. They could go out and do it themselves. They could hire someone to do it. In some cases States would still unwisely provide subsidies to these private ranchers. But the question is, should Federal taxpayers pay for predator control services on private ranches for profit in the western United States?

If you have, as my mother did, a raccoon down the chimney, you cannot call a Federal Wildlife Services employee and ask them to remove the raccoon. If you have termites in your house, no one from the Federal Government is going to show up. They will laugh at you and tell you to call a pest control company.

So why, why is it that ranchers, private ranchers in the West, can call up a Federal agency and get a Federal employee out there pronto, who will not only kill problem predators, which the ranchers could do on their own or hire someone on their own to do, but will indiscriminately kill other wildlife, and in some cases, as happened on the northern edge of my districts, kill domestic pets and poison humans with these indiscriminate M-44 devices which cause a horrible lingering death?

□ 1300

Now, why is the Federal government paying to subsidize this activity? That is the question before us. It is very simple. In fact, if Wildlife Services stops its obsession and all the amount of energy they put into this program, they will do a better control, a better job in other States protecting against bird strikes, protecting human health and safety.

So this is a fiscally responsible amendment, an amendment that goes to cutting out an obsolete subsidy that goes to private ranchers in the West, and will also benefit environmentally in the western United States, will stop the indiscriminate destruction of non-target wildlife. There are more coyotes now than when they started this program 68 years ago, and they are more dispersed across the country, because they are not even looking at the biology, they are ignoring previous orders of Congress to look at more effective and nonlethal predator control methods. They are not targeting the problem, they are just breaking up and dispersing the packs. Now you have coyotes in places where they have not seen them in 100 years, like Manhattan, elevators in Seattle. It actually happened. This has not been seen for a long time in this country.

It is time for this archaic and barbaric program and this subsidy to end. We have a very definitive opportunity to vote on it today. This is a very targeted amendment. Do not believe any of this other hokey about all the other problems that will be caused.

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

Mr. Chairman, I hope the House will vote down this amendment. It is true, there are funds in the Animal and Plant Health Inspection Service for predator control in western States. There are also funds for predator control in northern, southern, and eastern States.

There is money for research on Lyme disease and diseases spread by rats. There is money to control the spread of rabies in wild animals in the Midwest and eastern States. There is money to protect the bird population in Hawaii from devastation by the brown tree snake. There is money to protect airline passengers by controlling flocks of birds at airports. There is money to control damage to grain crops by blackbirds and to control migratory birds that feed on domestically produced fish, so those farmers can make a decent living. There is money to promote nonlethal methods of animal control. There is money for animal welfare.

Mr. Chairman, I would suggest that if we are going to go after farmers and ranchers in one area of the country and deny them help, maybe we should look at all of the programs in this country and subsidies, to shift the entire burden to the States and the private sector.

Mr. Chairman, I ask my colleagues to vote no on this amendment.

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

Mr. Chairman, I rise in support of the amendment. This is the same amendment that we passed on a Friday and then defeated on a Monday with a few phone calls having been made over the weekend. I hope Congress would have the opportunity to vote again and be on record and pass this amendment this time.

It has been said that this is a very important program. From my perspective, I think it is a waste of money. The program does not work. It essentially is money from the taxpayers' pockets to private landholders to control predators on their own property. But what is sad about it is that the program seeks to spend \$20 million to solve a problem that only costs private landholders \$7.2 million per year.

Nothing in this amendment, nothing in this amendment will affect in any way the programs for technical assistance or for bird control at airports. I serve on the Committee on Transportation and Infrastructure and on the Subcommittee on Aviation. I am an instrument-rated pilot. I have flown all over the country. I can assure the Members I would do nothing that would affect the safety of our Nation's airport.

This would carve out cleanly a subsidy to private individuals to control predators in a situation whose effectiveness is clearly under considerable question.

It is true that some of the resources for this program do go to other parts of the country, but 95 percent of the funds

for this program go to these western States and to these large ranchers to use for predator control.

I would suggest that we can save money by passage of this amendment. We can eliminate a practice that by even the best of interpretations is neither effective nor seemly, and I think it is an entirely inappropriate use of Federal funds.

Although I have enormous respect for all of the Members of the Committee on Appropriations who have supported this amendment, I think it is time that we eliminated this unnecessary funding from the Federal government.

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

Mr. Chairman, I rise in opposition to this amendment. I want to talk about how my district is affected by what is going on out there. I want to share with the body some letters that I have received from people not only in the district but from the State of Oregon with regard to this.

The head of the Department of Fish and Wildlife, the director, James Greer, has written saying, "We rely heavily on Wildlife Services as a partner in addressing the effects of wildlife and predatory animals on livestock and crops. Specifically, they provide animal damage control assistance to help resolve depredations caused by black bear, cougars, and other predatory animals. In addition, they deal with human safety threats from an increasing cougar and bear population."

These threats are from a cougar population that is very real. "According to a recent survey conducted by the Oregon Agricultural Statistics Service, more than \$158 million of annual damage to Oregon agriculture products occurs from wildlife," this from Phil Ward, the director of the Department of Agriculture in Oregon.

Mr. Chairman, my district is one of the most rural districts in America. We have lots of family farms, and 55.5 percent of it is under Federal control. The refuges and all out there, we have enormous populations growing of predators. The Wallowa County School District tells me they have such a problem with cougars that they will not let the young kids off the bus until their parents are there to meet them. These are issues.

Is this amendment going to deal with all of that? Probably not. I am not up here to make extraordinary claims. But the point is in these small rural counties, in these small counties that have 1,000, 2,000, 7,000 people, this program is an integral piece in an overall package to deal with predators.

I want to show the Members a picture that does not look too damaging here, but this is a coyote and this is a lamb. The next picture in this series is probably too graphic for C-Span to show. So when Members hear about control, predator control, and that somehow that is an awful thing, the flip side of that is awful, as well. The

flip side is the maiming that is done of sheep and cattle and all; animals raised for production, admittedly, but for problems that are caused by these predators.

Mr. Chairman, I think this amendment goes too far. I think it hurts a program that is very important to the rural parts of America and that helps not just a handful of wealthy ranchers, as some might say, but probably close to 10,000 livestock producers each year are helped by this program.

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

Mr. WALDEN of Oregon. I yield to the gentleman from Oregon.

Mr. DEFAZIO. Mr. Chairman, I thank the gentleman for yielding. Just on the photo, that was provided by the Federal government. It was actually taken at a test facility where the coyotes were starved and then put into an enclosure with sheep. It is a graphic photo, but it is not exactly representative.

Mr. WALDEN of Oregon. Reclaiming my time, Mr. Chairman, if I might, the point is illustrative, here. The gentleman knows as well as I do, and as well as anybody out in agriculture knows, the next in a series of photos like this out in the real world, not in some pen but in the real world, is the devastation that we see.

Mr. DEFAZIO. If the gentleman would further yield, and I appreciate the gentleman yielding, although we are on opposite sides of this issue, also on the total wildlife damage in agriculture in Oregon, it was \$158 million. The gentleman is exactly correct. However, the damage to livestock from predators was about \$1 million, and more was spent by the State and the Feds to control that than if we had actually reimbursed people. The major damage was damage to crops, \$148.6 million.

That damage, interestingly enough, took place from things on which coyotes predate, such as field mice, ground squirrels, prairie dogs, et cetera, et cetera. All of their prey is causing a big problem. Now we have to start another new program to go out and control the things that the predators used to prey on because they are eating the grain and other crops.

We need to get a better vision. I think the gentleman and I could construct something that would work better. I thank the gentleman for his time.

Mr. WALDEN of Oregon. I appreciate the gentleman's comments. However, I would say that indeed, I thought I heard earlier a comment about how the coyote population was growing rapidly around. So it is hard to argue both cases at the same time.

Mr. DEFAZIO. Not at all. If the gentleman will further yield, we will talk about coyote biology.

Mr. WALDEN of Oregon. Mr. Chairman, reclaiming my time, the point here is that we have many problems in my district in terms of predators de-

vouring livestock. This program is helpful to that as part of the bigger package that combines State and local funds to deal with it.

Sometimes it is one game person that is out there dealing with this, one predator control officer. But because they are from such small entities, the funding is all combined.

Mr. Chairman, I urge opposition to this.

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

Mr. Chairman, I rise in strong opposition to the DeFazio amendment, which basically guts the core funding for USDA's Wildlife Services program. This is an important program that serves the public good in a number of ways, and it should be funded at the level approved by the House Appropriations Committee.

Reducing funds for USDA's Wildlife Services will not just affect lethal predator control in the West, it will also cripple other needed activities throughout the Nation. Often the same USDA staff who help ranchers manage problems of predators may also help local airports protect human life by removing flocks of birds near runways.

I emphasize that one of the reasons why the DeFazio amendment does not work as he had intended is that we use the same people, and when we eliminate a person, that person who might be not only helping ranchers with their predator problems might also be the same person that is dealing with flocks of birds around airports. That gets overlooked in some of the concern which has been expressed here on the floor.

Make no mistake about it, this reduction in funds is not a targeted cut. Let me also add that Wildlife Services is not a Federal giveaway program. The majority of funding for the work of USDA's Wildlife Services comes from sources outside the Federal government, like State, local, and private organizations. Federal funds help to secure the basic program staff, who then are able to draw in significant funding directly from those who benefit from their work. However, without these USDA staff, it is unclear whether these outside funds will continue to be made available.

Finally, I am amazed by the argument that this program is not needed because wildlife-generated losses to property and human life are considered low by some folks. That is like arguing that childhood immunization programs are a waste of money since so few children now die from these diseases.

That is the whole point. We spend public money on preventative programs so we will not have to face the alternative. We spend money on Wildlife Services in order to avoid rabies epidemics, downed aircraft, and dead or maimed livestock. I simply do not agree that just because the program seems to be working efficiently, it should now be eliminated.

Please support the responsible and necessary management of wildlife by opposing the DeFazio amendment.

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

Mr. STENHOLM. I yield to the gentleman from Oregon.

Mr. DEFAZIO. Mr. Chairman, I would like to offer a compromise here. The gentleman raised a number of issues in which I am vitally concerned: Airports, bird strikes, those things on which a pitiful amount of money was spent last year, inadequate.

So if the gentleman would accept the first part of the amendment, which is a limitation only for lethal predator control for livestock, and not delete the amount of money and then support that, I would be happy to actually leave the funds in if we direct the service to not waste the money on the lethal predator control.

Would the gentleman accept that?

Mr. STENHOLM. I most certainly would not, because I absolutely disagree with the intent of gentleman's amendment. Even though that sounds very reasonable, it completely overlooks one of the fundamental areas I disagree with, that we do not need to be assisting our ranchers with predator control.

The gentleman ought to come to the Seventeenth District of Texas and see what happens to livestock and what would happen under gentleman's proposal.

I just respectfully differ with the gentleman regarding what the gentleman intends and would like to do.

Mr. DEFAZIO. If the gentleman would further yield, Mr. Chairman, I was the county commissioner. We had tough times. We had to cut our match, which lost our Federal predator control agents.

All of my sheep ranchers were in and said, my God, you will not believe what is going to happen, Commissioner, if we do that. Do Members know what happened? Nothing. In fact, the predation went down over a 5-year period.

That is really interesting, that when we stop spending the money, and we heard that they did kill some predators still, but they did it in a very discriminate form on their farms without a subsidy. I have a real life example in my district, which gets these funds, where we do better without them. I thank the gentleman.

Mr. STENHOLM. That is where we have reasonable differences. I have real life experience on the other side.

But also I would point out one other major, important aspect of it. It is rabies control. This is something that is extremely important to the general population in large segments of Texas. Perhaps in this one district in Oregon it is different.

I would assure the Members, in most places of the country, the argument on the side of the Committee on Appropriations and what the gentleman from New Mexico (Mr. SKEEN) and the gentlewoman from Ohio (Ms. KAPTUR) are

suggesting is what the full House ought to do today. We ought to defeat this amendment.

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

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

Mr. BONILLA. Mr. Chairman, I rise in strong opposition to this amendment. This is a classic case of the proponents of an amendment using misinformation and emotional rhetoric to try to push their cause.

I think I heard the word earlier in one of the arguments in favor of the amendment, the word "barbaric" used to describe the animal damage control program that currently exists, also called Wildlife Services, now. I stand corrected.

But I ask my friends who suggest that this program might be barbaric for them to think for a second about children who might be afflicted by wildlife who are bitten by an animal afflicted by rabies.

□ 1315

When you think of the possibility of the eradication that we try to do in Texas, in Texas, for example, children playing in their yards and in States all across the country and throughout the Southwest, playing in their yards, who might be afflicted by rabies because of some coyote or some other animal that might be crossing through a playground that might be afflicted, I would suggest that that is barbaric for anyone to think that a program that exists to protect the safety of children in playgrounds, that is pretty barbaric to suggest that that program is ineffective.

Also think about we just had a plane crash last week; and although the cause was not a form of wildlife, a flock of geese or birds flying into a plane engine, it is possible that that could occur. This wildlife services program tries to address that problem and keep those passengers safe in areas, many of which are located in the Northeast and in the New England area, tries to keep those passengers safe from any kind of accident like this by providing funds to control those flocks of birds near runways and airports.

Now, I would suggest that it is barbaric for anyone to think that a program like this is not a good program that would protect the safety of families and children flying on airlines. So I would suggest that those who are proposing this kind of amendment, using misinformation and emotional rhetoric, should step back for a second and think about the safety of women and children, families of all ages from all parts of the country who might be harmed if this money is not in the budget, think about that and ask themselves if they could live with an accident occurring at an airport or live with a child dying who was afflicted

with rabies because there was not enough money in the budget to support this program.

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

Mr. Chairman, I do not plan on taking all of the 5 minutes, but I rise in strong opposition. I do not have a dog in this hunt. I do not represent farmers; I do not represent ranchers. I have got mostly a city area in my district.

But I want to tell my colleagues that San Diego is a series of canyons and areas where a lot of people hike, and up in the hills also. This last year we had two women joggers who were killed by mountain lions. We had requested that the Federal Government come in and help manage. Because they have not been able to hunt lions in a long time, these lions are coming into the parks, into where people picnic in private and public areas. A little child was mauled by a mountain lion, nearly died, lost an arm. Another woman was hiking, and the lion not only killed her, it ate most of her before they found her.

California also has this little rodent called, a prairie-dog-type critter, a ground squirrel. We have heard about rabies, but in California this little rodent and the fleas they carry have bubonic plague. Now think of the terror that that word brings in our past history. We need those kinds of eradications, not only on public lands, but on private as well. We cannot just take care of the public lands and then go over and let that menace ride.

So I rise in strong opposition to this. I have flown a jet out at Miramar. To tell my colleagues what an animal, a bird, will do to an airplane, this hawk went clear through my wing and broke the main spar of an F-4 Phantom that I was flying. The airplane was hard down. Luckily, I was able to land the airplane, but it totally destroyed the airplane, one hawk in the thing.

When we talk about public health, we talk about rabies, we talk about plague, we talk about lethal predators; and for this reason, I rise in strong opposition to the amendment of the gentleman from Oregon (Mr. DEFazio).

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

(Mrs. CUBIN asked and was given permission to revise and extend her remarks.)

Mrs. CUBIN. Mr. Chairman, I rise in strong opposition to the amendment offered by the gentleman from Oregon (Mr. DEFazio).

I want to talk about just a couple different areas. I represent the entire State of Wyoming. Here is a little history lesson that I would like to give.

A lot of people think that the public lands in the West are all national parks and national forests. Well, they are not. BLM land, or Bureau of Land Management land, makes up about half of the State of Wyoming, and it is owned by the Federal Government. The reason that is public land is because it is

land that no one claimed when the Homestead Act expired.

Now, why did not anybody claim that land? They did not claim it because, for the most part, it does not have water on it. It is not very productive. There is alkali on it and sagebrush. It is not productive land, so it was not claimed. No one wanted it. So it was put in trust for the Bureau of Land Management. That is now what is called the public lands in the West.

Now if my colleagues stop and think about this for a minute, if my colleagues think about the ranchers and the public land that they have or the private land that they have, the private land is private because they homesteaded it because it has water on it. Then because there is water on it, there is grass, and there is feed for the cattle.

But do my colleagues know what else? There is grass and feed and water for the wildlife as well. I am talking about deer and antelope, elk, moose, bear, and all of those kinds of species that we regard very highly that we want to take care of.

Well, the USDA predator control, or Wildlife Services Program is there to protect that wildlife as well. So I think that the gentleman from Oregon's opposition to this comes from the fact that private landowners are helped by this service on their private land. But when my colleagues consider that 80 percent of the wildlife out there, the deer, antelope, elk, and so on is on private land.

And yet the public is the owner of that wildlife. I think it is our responsibility, since we are the owners of that wildlife, to help take responsibility in caring for them.

Another point I want to make, in Gillette, Wyoming, and Campbell County, we have a serious problem with rabies. Rabid skunks have gone into the City of Gillette, Wyoming, and this program is helping us with that problem.

A cougar in Casper, Wyoming, was spotted just last week very near a playground. People in a city like Casper do not necessarily have the expertise to be able to deal with this without the help of this program. So it is very shortsighted to cut this program. It is a matter of public health, and it should also be a matter of public conscience.

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

Mr. Chairman, I want to also rise in opposition to this amendment that would severely undermine the USDA's Wildlife Services Program. While I do not have a district out in the West but rather in the Midwest, it is very rural, and it is very big, and the fact of the matter is this program is a critical resource for the farmers and ranchers in my district who face the threat of crop and livestock damage.

As a matter of fact, wildlife causes as much as \$1.6 billion in damage to agriculture each year. Given the fact that our farmers, right now their entire

livelihoods are threatened with uncertain markets, unpredictable weather, some of the lowest prices we have ever seen in decades, this additional threat of losses due to wildlife is really above and beyond all the other factors. It is something that we have to be very mindful of.

I also want to make another point which is often overlooked. Our farmers and ranchers are among the best stewards of the land anywhere. They are our best conservationists. Their land provides wildlife habitat. Their production methods promote wide stewardship of that land. So let us not point the finger at the family farmer and rancher when, in fact, they are doing good things for the environment and things that are good for the American consumer.

I oppose the amendment, and I urge my colleagues to do the same.

Mrs. MORELLA. Mr. Chairman, I rise in strong support of the Bass-DeFazio amendment. The U.S. Department of Agriculture's Wildlife Services program spends millions of dollars annually to kill more than 100,000 coyotes, foxes, bears, mountain lions, and other predators in the Western United States. Although there are non-lethal alternatives. Wildlife Services chooses to shoot, poison, trap, and even club to death both target and non-target animals. This taxpayer subsidy gives ranchers a disincentive to seek alternative methods of livestock protection that might be more effective.

The USDA predator control methods are non-selective, inefficient, and inhumane. Aerial gunning, sodium cyanide poisoning, steel-jawed leghold traps, and neck snares are Wildlife Services' killing methods. These techniques have been known to kill pets and endangered and threatened species. Much of the killing is conducted before livestock is released into an area, with the expectation that predators will become a problem. However, killing wildlife to protect livestock is effective only if the individual animals who attack livestock are removed. Targeting the entire population is needlessly cruel, wastes taxpayer dollars and can be counter-productive. Studies have shown that predator populations reduced through indiscriminate killing produce larger litters to compensate and quickly rebuild to equal or greater than pre-controlled levels.

With this amendment, the Wildlife Services' program would be funded to assist with non-lethal predator protection services and in cases to protect human and endangered species lives. I urge my colleagues to support the Bass-DeFazio amendment.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise in support of this amendment, which curtails the funding for what was formerly known as the Animal Damage Control program.

This amendment cuts \$7 million in funding for the Department of Agriculture's inappropriately named "Wildlife Services" program. I say that it is inappropriately named, because the program does nothing to serve in the best interests of wildlife. It is, instead, a program whose purpose is to help farmers cope with natural predators who may prey on their livestock. While I believe that helping farmers is a laudable goal, the problem is that the way this program is administered, little help is provided and much damage caused.

Each year, this program indiscriminately kills 90,000 coyotes, foxes, bears and mountain lions. It is indiscriminate because there are few controls to ensure that the animals being slaughtered are tied to attacks on livestock. Oftentimes, young cubs are caught and killed, and on occasion, even a domesticated dog or cat will be mistakenly felled. This is simply not appropriate—and it should be stopped.

Wildlife Services is cruel because Wildlife Services still insists on using barbaric methods to handle these animals—including poisons, snares, and leg-hold traps. Sometimes, these animals are simply clubbed to death. Harp Seals are not the only animals that need protection from this brutal practice. We can do better than this—humane animal control techniques exist in our modern world. We can relocate animals that have caused problems.

How is it that we can build an internationally-sponsored space station yet we cannot find a way to treat our animals humanely? Do we need to spray poison in the face of animals that can contaminate other animals, or even humans, it comes in contact with afterwards? Must we kill not only the offending animal, but also every innocent scavenger that happens upon its corpse?

This program has been ineffective, and roundly criticized for decades. It was fully reviewed by advisory committees under the Kennedy, Johnson, Nixon and Carter Administrations—each of which suggested numerous reforms, but none have been adopted. The General Accounting Office (GAO) similarly released a report in 1995 that found the program to be largely ineffective.

Studies have shown the coyotes have adapted to our killing techniques much better than we have adapted towards more humane methods of predator control. Despite a 71% increase in funding for these programs between 1983 and 1993, coyotes have compensated for the culling of their species by simply having more pups. Surely, we have been out-foxed here—and it is time to stop the United States government from behaving like Elmer Fudd flailing blindly at nature to no avail.

We are smarter than this. This House is smarter than this. Therefore, I urge my colleagues to support this sensible and humane amendment being offered by Congressmen DEFAZIO and BASS.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oregon (Mr. DEFAZIO).

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

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

The CHAIRMAN. Pursuant to House Resolution 185, further proceedings on the amendment offered by the gentleman from Oregon (Mr. DEFAZIO) will be postponed.

The point of no quorum is considered withdrawn.

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

Mr. Chairman, I have an amendment at the desk that I do not intend at least at this time to present. But the tenor of the amendment, Mr. Chairman, would have prevented Agriculture

Secretary Glickman from instituting a new Federal milk marketing order system that would put thousands of dairy farmers out of business by lowering the price paid to farmers for their milk by hundreds of millions of dollars.

On March 31, 1999, Secretary Glickman announced his final decision on the Federal milk marketing order reform process that was required under 1996 Freedom to Farm Act. Unfortunately, his decision to adopt what is referred to as a modified Option 1-B has the effect of lowering Class I differentials for milk to virtually all regions of the country with the exception of the upper Midwest.

Can my colleagues imagine passing a policy, an agricultural policy that would harm the entire country except for perhaps two or three States. It defies logic.

The Secretary of Agriculture's decision flies in the face of broad bipartisan congressional multiregional support for Option 1-A. Congressional intent behind milk marketing order reform in no way anticipated this action by the Secretary.

My amendment also would have continued existing law, meaning that it would allow the continuation of the Northeast Dairy Compact. There has been increasing support for similar such compacts around the country as a way to protect against and otherwise prevent the harm that would be done by the Secretary's proposal and the havoc that it would cause in dairyland all across the Nation.

So, Mr. Chairman, rather than offer the amendment at this time, I would like to enter into a colloquy with several of my colleagues. I see the gentleman from Texas (Mr. COMBEST), chairman of the authorizing committee, the Committee on Agriculture, here; and I appreciate the gentleman coming down to participate in this discussion today.

Would the gentleman from Texas (Mr. COMBEST) agree that the Department of Agriculture's recommendation of a modified version, Option 1-B, is unacceptable to the majority Members of Congress and more importantly the majority of American dairy farmers and would therefore have to be modified through the regular legislative process?

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

Mr. WALSH. I am happy to yield to the gentleman from Texas.

Mr. COMBEST. Mr. Chairman, I would certainly be able to say yes just indicative of the fact that there is a bill to implement a different policy that I think has almost half of the Members of the House that are cosponsors of the bill. Certainly with the interest and concerns among the dairy industry, the Committee on Agriculture is certainly going to be looking into this in very short order.

Mr. WALSH. Mr. Chairman, reclaiming my time, I appreciate the gentleman's statement and clarification of

the Committee on Agriculture's position. My concern is that we need to ensure that the legislation is enacted into law before the Secretary's modified Option 1-B pricing reform is imposed on dairy farmers in my district.

Mr. COMBEST. Mr. Chairman, if the gentleman will yield, I would indicate to the gentleman, who has been a strong advocate of a dairy policy in this country and with a great deal of interest in this, there is a bill which has been introduced that will be the vehicle on the 24th of June for a hearing in the Subcommittee on Livestock and Horticulture that is chaired by the gentleman from California (Mr. POMBO). Very shortly after that, there will be markup on that bill, and that bill will then move to full consideration.

Given the fact that there is a recognition of some timely concern here without the Chair's being, I believe, able to give individuals total assurances about exactly what that final product would be, the vehicle that will be used for hearing purposes and for markup I think will be very much in line with the interest of the gentleman from New York (Mr. WALSH) in the dairy program.

Mr. WALSH. Mr. Chairman, I thank the gentleman from Texas (Mr. COMBEST) for explaining the position of the committee clearly.

Mr. Chairman, I yield to the gentleman from California (Mr. POMBO), chairman of the Subcommittee on Livestock and Horticulture for his comments.

Mr. POMBO. Mr. Chairman, I concur with the statement of the full committee chairman. I know of the intense interest of the gentleman from New York (Mr. WALSH) on this issue as well as a number of other Members of the House. As we have been negotiating and working through this issue, I will assure the gentleman that this is a very important issue, not only to his dairy farmers, but to mine back home, and that we will move through the hearing, the markup process, and move legislation on an expedited manner through the House and try to solve this problem as quickly as we possibly can.

□ 1330

Mr. WALSH. I thank the gentleman. With the assurances received from the chairman of the subcommittee and the chairman of the full committee I will at this time not offer my amendment.

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

Mr. Chairman, I take this time to comment on the colloquy that we just heard with respect to regional differences in the fluid milk dairy prices, and I would like to recite for this House what the history of this matter is.

Since 1937, we have been operating under an outmoded system of milk marketing orders which mandates, by law, that certain farmers in certain regions of the country be paid more for

their milk than are farmers from other sections of the country. That is a Federal law, believe it or not, and it has long since served its usefulness.

When the farm bill was up on the floor 4 years ago, then-Congressman Gunderson, the chairman of the Dairy Subcommittee, tried to get a legislative remedy to that long outmoded policy, and when he did that he was blocked, cut off at the pass by the House leadership, the Republican leadership in the form of the Speaker and Mr. Solomon, who chaired the Committee on Rules. In essence, what they told Steve at the time was, "Sorry, we are not going to give you a chance to vote on a legislative remedy; the best you are going to get is that we will give the Secretary of Agriculture an opportunity to look at these milk marketing orders and decide through administrative action what kind of changes are needed."

Acting under that limited authority, Secretary Glickman proposed what was known as Option 1-B, which provided very minimal changes in the milk marketing order system across the country. That was found to be objectionable by many Members of this House, certainly not me but by many other Members, and so this House last year passed legislation which blocked the Secretary from moving ahead with those changes, those reforms in the milk marketing order system.

So, then, Mr. Glickman went back to the drawing board and he produced a second modified version of his proposal, which would have provided some change, some modernization in that system, and it would have resulted in farmers in 15 of the 33 regions actually getting better prices for their milk than they do right now, and it would have had a downward pressure on some other regions.

It just seems to me that it is amazing that the folks who won by preventing us from getting a legislative decision on this issue, and who insisted that this ought to be handled through the administrative route, are now saying that they are unhappy with even the tiny changes that were made administratively by the Secretary and are now suggesting that yet another legislative action is required to selectively amend the farm bill.

I do not believe that is the right way to go. It seems to me strange indeed that in a Congress which so often talks about the need to move closer to market arrangements, that we are having people who are insisting on sticking to the status quo which blocks moving agriculture in the dairy area closer to market arrangements.

I also find it interesting that some of the same folks who say that we should have free trade internationally are some of the same folks who, when it comes to internal trade within our own country, want to put up all kinds of trade barriers, informal trade barriers, in the form of these regional compacts.

So I would simply say I cannot do anything about the colloquy that just

took place between the Members of the majority party. All I can say, as one Member from the upper Midwest, is that I do not think it is fair for people to try to have this issue both ways. We were told that we should take our shot at the administrative route rather than the legislative route. That is what happened. And now the Members, at least some of the Members who just spoke, are now trying to suggest that we ought not to have let that happen either.

We cannot move agriculture into the 20th century by sticking with this outmoded, old-fashioned milk marketing order system. And I would suggest if we are going to open this issue up, then we ought to open up the whole farm bill; that we ought to open up the question of whether we ought to have any milk marketing orders at all. We ought to be allowed to vote on the question of whether there ought to be one national milk marketing order rather than a whole series of them.

So I would urge Members to think carefully before they try to selectively reopen that farm bill.

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

If the chairman will engage me in a colloquy on the funding for the USDA facilities loan program, I would like to solicit his support for the administration's funding request for programs like the community facilities loan and grant program, which finances multipurpose community centers through which local governments are able to provide services for children and the elderly, school facilities, and fire and rescue equipment.

Mr. Chairman, over 50 percent of the community facilities funds are used for a variety of health services, including rural hospitals, mental health facilities, nursing homes, child care facilities which are desperately needed to assist in welfare reform.

There is a great need for these facilities in rural America and especially in my First Congressional District of North Carolina where local governments do not have sufficient tax resources or the sufficient tax base to provide for these essential services.

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

Mrs. CLAYTON. I yield to the gentleman from New Mexico.

Mr. SKEEN. Mr. Chairman, I thank the gentleman for her support for this program and for rural America. I share her concern and promise to work in the conference to strengthen the community facilities loan and grant program for rural America and appreciate the gentleman's efforts.

Mrs. CLAYTON. Mr. Chairman, I thank the gentleman.

AMENDMENT NO. 5 OFFERED BY MR. DE FAZIO

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Oregon (Mr. DEFAZIO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 193, noes 230, not voting 11, as follows:

[Roll No. 172]

AYES—193

| | | |
|---------------|----------------|---------------|
| Ackerman | Goss | Nadler |
| Allen | Green (TX) | Neal |
| Andrews | Green (WI) | Obey |
| Baird | Greenwood | Oliver |
| Baldacci | Gutierrez | Owens |
| Baldwin | Hall (OH) | Pallone |
| Barr | Hastings (FL) | Pascrell |
| Barrett (WI) | Hefley | Paul |
| Bass | Hill (IN) | Payne |
| Becerra | Hoeffel | Pease |
| Berkley | Holt | Pelosi |
| Berman | Horn | Petri |
| Biggert | Houghton | Porter |
| Bilbray | Hoyer | Price (NC) |
| Blagojevich | Hulshof | Ramstad |
| Blumenauer | Insole | Rangel |
| Boehlert | Jackson (IL) | Rivers |
| Bonior | Jackson-Lee | Roemer |
| Borski | (TX) | Ros-Lehtinen |
| Brady (PA) | Johnson (CT) | Rothman |
| Brown (OH) | Jones (NC) | Roukema |
| Campbell | Jones (OH) | Roybal-Allard |
| Capuano | Kelly | Royce |
| Cardin | Kennedy | Rush |
| Carson | Kildee | Ryan (WI) |
| Castle | Kilpatrick | Sabo |
| Chabot | Kind (WI) | Sanchez |
| Clay | King (NY) | Sanders |
| Coburn | Klecza | Sanford |
| Collins | Klink | Sawyer |
| Conyers | Kucinich | Saxton |
| Costello | Largent | Scarborough |
| Coyne | Larson | Schakowsky |
| Crowley | LaTourette | Sensenbrenner |
| Cummings | Lazio | Serrano |
| Davis (IL) | Leach | Shays |
| Davis (VA) | Lee | Sherman |
| DeFazio | Levin | Sisisky |
| DeGette | Lewis (GA) | Slaughter |
| Delahunt | Linder | Smith (NJ) |
| DeLauro | Lipinski | Smith (WA) |
| DeMint | LoBiondo | Snyder |
| Deutsch | Lofgren | Stark |
| Diaz-Balart | Lowey | Strickland |
| Dixon | Luther | Sununu |
| Doggett | Maloney (CT) | Tancredo |
| Doyle | Maloney (NY) | Tauscher |
| Duncan | Markey | Taylor (MS) |
| Ehlers | McCarthy (MO) | Tierney |
| English | McCarthy (NY) | Toomey |
| Eshoo | McDermott | Towns |
| Etheridge | McGovern | Udall (CO) |
| Evans | McKinney | Upton |
| Fattah | McNulty | Velazquez |
| Finer | Meehan | Vento |
| Forbes | Menendez | Visclosky |
| Fossella | Metcalf | Waxman |
| Frank (MA) | Millender | Weiner |
| Franks (NJ) | McDonald | Weller |
| Frelinghuysen | Miller (FL) | Wexler |
| Gedensson | Miller, George | Weygand |
| Gephardt | Moakley | Whitfield |
| Gilchrest | Moore | Woolsey |
| Gilman | Moran (VA) | Wu |
| Gonzalez | Morella | Wynn |

NOES—230

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| Abercrombie | Berry | Buyer |
| Aderholt | Bilirakis | Callahan |
| Archer | Bishop | Calvert |
| Armey | Bliley | Camp |
| Bachus | Blunt | Canady |
| Baker | Boehner | Cannon |
| Ballenger | Bonilla | Capps |
| Barcia | Bono | Chambliss |
| Barrett (NE) | Boswell | Clayton |
| Bartlett | Boyd | Clement |
| Barton | Brown (FL) | Clyburn |
| Bateman | Bryant | Coble |
| Bentsen | Burr | Combest |
| Bereuter | Burton | Condit |

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| Cook | John | Reyes |
| Cooksey | Johnson, E. B. | Riley |
| Cox | Johnson, Sam | Rodriguez |
| Cramer | Kanjorski | Rogan |
| Crane | Kaptur | Rogers |
| Cubin | Kasich | Rohrabacher |
| Cunningham | Kingston | Ryun (KS) |
| Danner | Knollenberg | Salmon |
| Davis (FL) | Kolbe | Sandlin |
| Deal | Kuykendall | Schaffer |
| DeLay | LaFalce | Scott |
| Dickey | LaHood | Sessions |
| Dicks | Lampson | Shadegg |
| Dingell | Latham | Shaw |
| Dooley | Lewis (CA) | Sherwood |
| Doolittle | Lewis (KY) | Shimkus |
| Dreier | Lucas (KY) | Shows |
| Dunn | Lucas (OK) | Shuster |
| Edwards | Manzullo | Simpson |
| Ehrlich | Martinez | Skeen |
| Emerson | Mascara | Skelton |
| Engel | Matsui | Smith (MI) |
| Everett | McCrery | Smith (TX) |
| Ewing | McHugh | Souder |
| Farr | McInnis | Spence |
| Fletcher | McIntosh | Spratt |
| Foley | McIntyre | Stabenow |
| Ford | McKeon | Stearns |
| Fowler | Meek (FL) | Stenholm |
| Frost | Meeks (NY) | Stump |
| Gallegly | Mica | Stupak |
| Ganske | Miller, Gary | Sweeney |
| Gekas | Minge | Talent |
| Gibbons | Mink | Tanner |
| Gillmor | Mollohan | Tauzin |
| Goode | Moran (KS) | Taylor (NC) |
| Goodlatte | Murtha | Terry |
| Goodling | Myrick | Thomas |
| Gordon | Napolitano | Thompson (CA) |
| Graham | Nethercutt | Thompson (MS) |
| Granger | Ney | Thornberry |
| Hall (TX) | Northup | Thune |
| Hansen | Norwood | Thurman |
| Hastings (WA) | Nussle | Tiahrt |
| Hayes | Oberstar | Trafigant |
| Hayworth | Ortiz | Turner |
| Herger | Ose | Udall (NM) |
| Hill (MT) | Oxley | Vitter |
| Hilleary | Packard | Walden |
| Hilliard | Pastor | Walsh |
| Hinchee | Peterson (MN) | Wamp |
| Hinojosa | Peterson (PA) | Watkins |
| Hobson | Phelps | Watt (NC) |
| Hoekstra | Pickering | Watts (OK) |
| Holden | Pitts | Weldon (FL) |
| Hooley | Pombo | Weldon (PA) |
| Hostettler | Pomeroy | Wicker |
| Hunter | Portman | Wilson |
| Hutchinson | Pryce (OH) | Wise |
| Hyde | Quinn | Wolf |
| Isakson | Radanovich | Young (AK) |
| Istook | Rahall | Young (FL) |
| Jefferson | Regula | |

NOT VOTING—11

| | | |
|------------|-----------|----------|
| Boucher | Gutknecht | Pickett |
| Brady (TX) | Jenkins | Reynolds |
| Brown (CA) | Lantos | Waters |
| Chenoweth | McCollum | |

□ 1358

Ms. DANNER, Ms. BROWN of Florida, and Messrs. HILL of Montana, HILLIARD, LARGENT, SMITH of Texas, ENGEL and MICA changed their vote from "aye" to "no."

Mr. BOEHLERT changed his vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. GUTKNECHT. Mr. Chairman, I was unavoidably detained earlier today and was not present for rollcall vote No. 172. Had I been present, I would have voted "no".

□ 1400

AMENDMENT OFFERED BY MR. NETHERCUTT

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

The Clerk read as follows:

Amendment offered by Mr. NETHERCUTT:

In the general provisions title, insert the following new section:

SEC. ____ (a) PROHIBITION ON UNILATERAL ECONOMIC SANCTIONS.—Notwithstanding any other provision of law, the President shall not restrict or otherwise prohibit any exports of food, other agricultural products (including fertilizer), medicines, or medical supplies or equipment as part of any policy of existing or future unilateral economic sanctions imposed against a foreign government.

(b) NATIONAL SECURITY WAIVER.—The President may waive, for periods of not more than 1 year each, the applicability of subsection (a) with respect to a foreign country or entity if the President, with respect to each such waiver—

(1) determines that the national security so requires; and

(2) transmits to the Congress that determination, together with a detailed description of the reasons therefor, including an explanation of how the sanctions will further the national security.

(c) UNILATERAL ECONOMIC SANCTION DEFINED.—In this section, the term "unilateral economic sanction" means any restriction or condition on economic activity with respect to a foreign country or foreign entity that is imposed by the United States for reasons of foreign policy or national security, except in a case in which the United States imposes the measure pursuant to a multilateral regime and the other members of that regime have agreed to impose substantially equivalent measures.

(d) APPLICABILITY.—This section shall apply only to private commercial exports that are not subject to any Federal guarantee or direct credit.

Mr. NETHERCUTT (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 Washington?

There was no objection.

Mr. DIAZ-BALART. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIRMAN. The gentleman from Florida reserves a point of order.

Mr. NETHERCUTT. Mr. Chairman, the policy of the United States of America for years has been to impose unilateral sanctions against trade between our Nation and other nations with which we might disagree on policy matters. The policy of sanctions imposed on other nations with which we might disagree on policy matters is outdated. In 1980, we saw the agriculture markets that were prominent for the United States with the Soviet Union, we saw them disappear with the imposition of unilateral sanctions against the Soviet Union. Representing agriculture as I do, we in the agriculture communities of this country have still not gotten back the markets that we lost in 1980 by virtue of the unilateral imposition of sanctions against the Soviet Union. There are today nations around this country upon which the United States has imposed unilateral sanctions that we are not doing business with, but other countries of the world are doing business with these countries and selling

agriculture products and medicines to these countries. We cannot because of our outdated sanctions policy.

What my amendment does is, it lifts those sanctions on all countries on which we currently have sanctions for food and medicine only. There is no way in today's world that food should be used as a weapon in international relations with other countries. It is inhumane, it is improper, and what it eventually does is damage the American agriculture community. My State of Washington exports roughly 90 percent of all the wheat that it grows in our State. We are an export State, and we feed the world. But yet our farmers, in a time of great challenge for American agriculture, are at a distinct disadvantage because we cannot sell to some of these sanctioned countries.

What my amendment does is lift sanctions on all countries on which there are currently sanctions around the world as those sanctions relate to agriculture and medicine. They involve no direct Federal subsidies, these lifting of the sanctions, but it would allow our farmers to sell directly to sanctioned nations and sell our product. We are at a distinct disadvantage because other countries, our competitors for our farmers, are able to sell to those countries and provide food and medicine to those countries. Because of our outdated sanctions policy, American farmers cannot.

This is wrong, it is something that should be changed. The market alone, the dollar market alone for our country and our American agriculture community is \$6 billion that we would be able to bring into this country by virtue of sales to those sanctioned nations. Now, I understand the politics of dealing with a terrorist like Saddam Hussein, or the North Koreans or other countries on which we have sanctions and no trade relations. But yet as to agriculture and medicine, it seems to me this is bad policy, because it hurts our farmers. This amendment allows the President to reimpose those sanctions if for national security reasons he feels it is in the national security interests of our country to reimpose those sanctions. So there is a waiver provision in this amendment.

This amendment received consideration in the full Committee on Appropriations, of which I am a member, and I am happy to be a member of the Subcommittee on Agriculture. It was a wonderful debate. Democrats and Republicans alike debated this issue back and forth. The amendment unfortunately lost by a 28-24 vote. But it was a great debate and it is something we ought to have in this country as we decide how to help agriculture in the free market system as we are moving to under the farm bill and from a humanitarian standpoint how we ought to be dealing with people in these other nations who have corrupt governments but not corrupt people.

This is a humanitarian amendment. I fully appreciate the point of order that

is being raised against it, I understand that completely, and my friend from Florida and I have discussed this issue at length. I respect him greatly. I respect his views on this whole issue. I understand the likely success of this amendment. But I want to make the very serious point, that we in this country have to make a decision about whether we are going to continue to use food as a weapon and medicine as a weapon. We will be faced in this Congress with the likelihood that the agriculture interests of our country, because of depressed prices, because of depressed markets, will come to this body and say, "We need more Federal assistance." If that is the case, then the logical free market way to get through this is to lift sanctions to allow sales to be made abroad from a free market standpoint.

I want my colleagues to know how seriously I view this issue. I hope that the House will take this matter up at the appropriate time.

POINT OF ORDER

The CHAIRMAN. Does the gentleman from Florida insist on his point of order?

Mr. DIAZ-BALART. Mr. Chairman, if I may at this point speak to the point of order.

I have the highest respect for the gentleman from Washington (Mr. NETHERCUTT). He speaks from conviction on this issue. As he mentioned, we have had and will continue to have very intense and serious discussions on this point. I also believe that markets that should be open to the United States at this time are not fully open, the first one being the European Union. The European Union, in violation even of accords entered into with us, continues to put up barriers on essential products of American producers. And so this is a key issue. If there has ever been a matter where the wisdom of the rule, in this case clause 2 of rule XXI prohibiting legislation on an appropriations bill, it is on an issue such as this.

This is a very serious matter that we are discussing today. On the one hand, we all agree that all that can be done to open markets to U.S. producers, including and very especially our farmers, must be done. At the same time, we must recognize that the issue of trading with, opening an entire sector, a very important sector of the economy, of the U.S. production to sponsors of State terrorism is a very delicate matter and a very serious matter which requires great deliberation and study. That is why the rule is wise and it is the committee process and the deliberative process that must bring to the floor legislation dealing with critical matters such as this.

When we talk about states such as North Korea, state sponsor of terrorism, or the Sudan where the President recently ordered an air strike against a medicine manufacturer, is that the only option that should be available to the United States? Military action? Or should sanctions be

available to the United States in lieu of and instead of military action? This is a very serious question. Should we tie our hands so that the only action available in American diplomacy is military action? It is a very serious question. When we deal with the issue of the dictatorship in Cuba, 90 miles away, a state sponsor of terrorism, a safe haven for international terrorists with over 100 fugitives from U.S. justice responsible, the state itself with its air force in addition to that for the murder of U.S. citizens, unarmed U.S. citizens over international waters, when we discuss opening of U.S. market, the U.S. market to that state, that regime, that is a very serious matter. And so in essence what I am saying, with all respect to my colleague, and we will continue discussing this issue, yes, we must find ways to help America's farmers, but without helping America's enemies. And we will continue our discussions. They are intense, they are sincere, they will get to the heart of this matter, at the same time protecting the U.S. national security, in essence the national interests of the United States. And so at this time, unless my dear colleague has an announcement to make, I would have an announcement to make myself.

The CHAIRMAN. Does the gentleman continue to reserve his point of order so that the Chair might recognize the gentleman from New York (Mr. SERRANO)?

Mr. DIAZ-BALART. Mr. Chairman, it is my understanding that the gentleman from Washington has an announcement to make. Or I would insist on my point of order.

Mr. NETHERCUTT. Mr. Chairman, I ask unanimous consent to withdraw the amendment in light of the gentleman's insistence on a point of order.

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

PARLIAMENTARY INQUIRY

Mr. DIAZ-BALART. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. DIAZ-BALART. Mr. Chairman, if I insist on the point of order, what would be the difference between the gentleman withdrawing and my insistence on the point of order with regard to how it would affect debate?

The CHAIRMAN. The Chair would then have to rule on the gentleman's point of order.

Is there objection to the gentleman's unanimous-consent request to withdraw the amendment?

There was no objection.

The CHAIRMAN. The amendment is withdrawn.

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

Mr. Chairman, let me just first say that I have the highest respect for the gentleman from Florida. He knows that. I also have quite a bit of respect for the gentleman from Washington (Mr. NETHERCUTT) and a lot of respect

for his amendment and even more growing every day for both the gentleman and all of his other policies. I think the gentleman from Florida makes an interesting point, that we should not at times do anything to help enemies we have in foreign governments.

But on the other hand, I do not think we should hurt people that live in the countries where we may have enemies in the government. And so I think that this issue, as the gentleman from Washington has said, is one that we have to deal with. That is why I really think he has been so courageous on this issue. We may run away from this issue but we cannot hide from it. Eventually we are going to be called to answer questions as the greatest Nation on earth, as the Nation that produces the most food in the world: Why during the period of great prosperity for us we use food and medicine as a weapon to bring people around to our political will?

This issue is not about whether we agree with a government or not. The issue is simply and it has to be repeated over and over again, whether we should deprive people in those countries whose government we disagree with the ability to have food and medicine, something that is so available to us in this country. And yes, at the same time we cannot deny that the way the gentleman from Washington and I and other people have presented this issue, it is also a good investment for this country, not only because we come off as being what we truly are, a good country that does not do this to other people but also because American farmers can sell food and medicine.

□ 1415

I will give my colleagues an example. The gentleman from Florida did bring up the issue of Cuba. I have a bill to do just that, to sell food and medicine to Cuba.

In the area of food alone, if my colleagues can get past, for a second, the issue of whether we should even give this food away or not and the issue of food alone, the Cuban Government has made it clear that they would purchase up to \$850 million in rice from this country, that they would purchase \$700 million in corn, that they would purchase over \$500 million in chicken.

Now, every time I mention one of these products, I know that a certain State delegation or a different State delegation gets excited. What a wonderful opportunity to do that which is humanely right and that which is good for our farmers.

I must tell my colleagues when I first got elected 9 years ago, coming from a district in the Bronx, I never thought that I would have American farmers supporting a piece of legislation I presented, and they do, and they do because they support the fact that it is a good thing to do and a good thing to establish, Mr. Chairman.

Now, the President, as we know, very recently said that we should do this

with all other countries, but he could not do it for Cuba because of the fact that this is handled by legislation, that we cannot sell food and medicine to Cuba, and so I think that while this issue obviously will not be dealt with today, while this issue obviously will not become law anytime soon, while this issue obviously is still at the center of a political debate in this House which is not one that seems for our side to be winning, our side being those of us who agree that we should do this, the fact is that the time is coming for this.

We cannot continue to have food and medicine business, if my colleagues will, with China, with Iraq, were Iran, with Sudan and other countries in the world and continue to argue that one place 90 miles from Miami should not be allowed the same sale.

So I would hope that we do pay attention to this issue, and I would hope that in the near future the sponsorship of our bill will continue to grow. As it is, it is over 150 sponsors at the moment, and the minute we get to 218, we will talk to our colleagues about bringing it to the House.

So I would hope, Mr. Chairman, with all due respect that all Members would see this for what it is. It is something that is right, it is something that is fair, and it is something that is long overdue.

Mr. DIAZ-BALART. Mr. Chairman, will the gentleman yield?

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

Mr. DIAZ-BALART. Mr. Chairman, the gentleman said that he came up with incredible numbers that I had not heard before about what Castro says he would buy from the United States. I think the gentleman said \$800 million in rice and \$500 million in chicken. Where does he buy that from now? Does the gentleman from New York know?

Mr. SERRANO. Yes, those purchases made everywhere but from American farmers.

Mr. DIAZ-BALART. Everywhere.

Mr. Chairman, could the gentleman give me where that everywhere is?

Mr. SERRANO. Well, rice comes from Asia.

Mr. DIAZ-BALART. I know that that is a confidence, but knowing, as I do, that Castro does not make those purchases now, I was curious to find out where the gentleman says that they are made now by Castro based on the fact that he has promised to make them in theory from us.

Mr. SERRANO. Those purchases are made now, and they will be made here later.

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

Mr. Chairman, I yield to the gentleman from Washington (Mr. NETHERCUTT).

Mr. NETHERCUTT. Mr. Chairman, I just want to make one final point relative to this debate. It is a good debate, it is a debate that we all ought to

be having. It is a debate that we all ought to be having in this country because it affects foreign policy issues, it affects economic issues for our country.

Look what we do in North Korea. We are providing hundreds of millions of dollars of agriculture aid, food aid, at the expense of the taxpayer to a regime that I think by all accounts is a corrupt regime in North Korea. Now I would rather have our country purchase, I should say our farmers sell commodities to North Korea and other such regimes like Iran and Iraq and others with whom we disagree violently on policy issues, but who will purchase our grain and will purchase our apples and purchase our other products, peas and lentils and other foodstuffs that will help from a humanitarian standpoint feed the people of those countries and also feed our farmers in our rural agriculture economy. So on the one hand our country is giving food to North Korea.

What I want to do as we debate this in the days ahead, and I am not as pessimistic as perhaps my friend from New York. I think this has a great chance to be enacted this year if enough people will show their concern and compassion for the issue, and debate it and pursue it very forcefully. I think this is the best policy for our country to deal with these regimes diplomatically very forcefully, but not punish them and us by not providing them food and medicine.

I just will put a plug in here, Mr. Chairman, for H.R. 212. It is the sanctions relief bill that has been introduced, that I introduced, that has lots of cosponsors, and we can have the debate about which sanctions we ought to impose or not impose on which countries. But from a conceptual standpoint, from a policy standpoint, lifting sanctions is the best policy for American agriculture, and I hope this House will adopt this, and the other body as well, along with the President. This is good policy for our country.

Mr. DIAZ-BALART. Mr. Chairman, will the gentleman yield?

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

Mr. DIAZ-BALART. Mr. Chairman, I agree with the gentleman from Washington (Mr. NETHERCUTT). This is an issue that needs debate. Every single country in the world is not only geographically, but historically and sociologically and politically in a different situation and in a different moment with regard to the certainty that it will have a democratic transition the moment of that democratic transition, and to broad-brush this issue, certainly again I would reiterate the wisdom of not doing so on an appropriations bill at the same time that I reiterate my willingness to continue discussions with those people like the gentleman from Washington (Mr. NETHERCUTT) who feel so strongly out of good-faith in this issue, not out of support for dictatorships, but out of good faith, and I

will continue our discussions because it is dangerous to broad-brush, it is indispensable that we not and that we recognize that sending signals to countries; for example, some terrorist states that have absolutely no way that they can pay, sending signals to them that they will no longer be sanctioned, that they will be in a situation where the American market will be open to them before liberation of political prisoners or free elections are held can be very destructive at this particular time.

So I thank the gentleman for yielding, and I look forward to further discussions on this issue which must not be broad-brushed and which must remain leaving to the United States the option in particular instances of not having to have recourse to military action as the only way in which the United States can act.

Mr. LATHAM. Mr. Chairman, I just want to make one point.

I do not think this would be as much of an issue if we did not use embargoes like we have in this recent administration, and talk about sanctions, they are embargoes. No one likes to use that term because in agriculture that has real connotations, has real effects.

We remember the Nixon embargo, the Carter embargo, how that devastated the agriculture. This, in fact, is what we are talking about, our embargoes, and in the last 80 years there have been 120 embargoes put forth by this country and other countries, and in fact over half of them have been put in place in the last 6½ years.

So my colleagues can see the dramatic impact this has had on agriculture in recent years, a major reason for the decline in prices today, the fact that 40 percent of the world's population today is under some type of embargo from the United States, and it is extraordinarily destructive to agriculture, to free trade and our position in the world market.

AMENDMENT OFFERED BY MR. COBURN

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

The Clerk read as follows:

Amendment offered by Mr. COBURN:

Insert before the short title the following new section:

SEC. . None of the funds appropriated or otherwise made available by this Act may be used by the Food and Drug Administration for the testing, development, or approval (including approval of production, manufacturing, or distribution) of any drug for the chemical inducement of abortion.

Mr. SKEEN. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 2 hours and that the time be equally divided.

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

There was no objection.

The CHAIRMAN. Does the gentleman wish to designate with whom the time will be divided?

Mr. SKEEN. Mr. Chairman, no, we do not.

Mr. COBURN. Mr. Chairman, I ask unanimous consent to control one-half of the time, 1 hour, and allow the opposition to control one-half.

The CHAIRMAN. Any Member seeking to control 1 hour in opposition?

Ms. KAPTUR. Mr. Chairman, yes, we will on this side control the 1 hour in opposition.

The CHAIRMAN. The gentlewoman from Ohio (Ms. KAPTUR) will control the 1 hour in opposition. The gentleman from Oklahoma (Mr. COBURN) will control the 1 hour in favor.

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

Mr. Chairman, we are going to hear a lot of debate this afternoon and statements about the intended purpose of this amendment. I want to say from the outset that this amendment is not intended to have an effect on any drug used for any purpose other than that which is specifically spelled out in this amendment.

The taxpayers of the United States spend a great deal of money each year in funding the Food and Drug Administration. There is something terribly wrong when we ask the taxpayers of this country to spend money in a way which is designed to give the Food and Drug Administration the ability to research and approve drugs that are designed to kill unborn children.

Now let me say that again. The purpose of this amendment is to limit the FDA's ability to approve any drug which has its sole purpose to eliminate and terminate an unborn child.

This should not be in a debate about abortion, and I do not intend it to be. It is about how we use taxpayers' money and for what purpose should that money be used.

Abortion is legal in this country. I recognize that. But allowing a Federal agency to spend taxpayers' dollars to perfect and approve a method under which we take life to me seems totally irreconcilable with the fact that our whole country is supposed to be about the pursuit of happiness, the pursuit of freedom and the pursuit of life.

So this amendment will not block Cytotech from being used in other medicines and in other ways, it will not block RU-486 if it has an intended purpose for giving life, saving life, prolonging life. It will not stop any utilization of FDA funds in terms of that effort. Its sole purpose is to say to the FDA none of their money should be used in a manner which will enhance the taking of unborn life.

It is a very simple proposition. Whether one believes in abortion or do not, both sides of this issue believe that we have way too many abortions. None of us think that abortion is a great thing. There are not many people who have been through an abortion who think an abortion is a great thing.

So I want to move our debate not to the issue of abortion, but whether or not we can in good conscience utilize taxpayer dollars to perfect drugs to kill unborn children. That is what the

debate is about. It is not about whether or not somebody can have an abortion; we all know that that is possible.

□ 1430

Regrettably so, from my viewpoint. But, rather, the debate is about protecting unborn life from unwise use of Federal taxpayer dollars.

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

Ms. KAPTUR. Mr. Chairman, I rise in opposition to the amendment, and yield myself such time as I may consume.

Mr. Chairman, as the gentleman knows, on many votes we share similar values, a similar point of view, and this Member certainly does not have a voting record of supporting Federal funding for abortion. I have read carefully the gentleman's amendment. I think it is a bit different from the one the gentleman offered 1 or 2 years ago, if I recall.

I think that the wording of the gentleman's amendment has a worthy purpose. The problem is, I oppose the gentleman's amendment respectfully for three reasons. First of all, on the basis of science.

I do not think that we can really say with certainty and the kind of broad language that the gentleman has included in his amendment that you know for certain what every drug will be used for. I do not have a Ph.D. in science myself, but certainly in the area of medical science, if I think about the decade of the brain that we are now working our way through and all of the discoveries that have been made, for example, in the area of mental illness, most of them by accident; in places like France, for example, where patients were on operating tables, and in order to alleviate pain they were using certain types of pain medications, and, all of a sudden, they discovered, my gosh, why did that work to help to diminish hallucinations and other conditions relating to mental illness?

We certainly are in a period of time now where many of these medications that were by accident discovered to have application for the remediation of the symptoms of mental illness are being worked on, and medical science is at a new horizon in terms of hopefully finding answers for the millions and millions of people that suffer from those illnesses.

I think similarly to some of the lab experiments that have been done, even the discovery of the X-ray itself was an accident. They did not go in there, I think it was Mr. Roentgen, was that not the name, to actually discover x-rays, but it happened. All of a sudden we have a major technology like that that has been used around the world now because of the ability of science to probe into the unknown, but then to figure out practical applications.

I think the gentleman's desire to limit abortion is a very worthy objective, and I do not think anybody on

this side of the aisle would disagree with the objective. The problem is that you cannot really say to medical science that you are going to know for every drug or every chemical that FDA reviews, you are going to know that it would have an end result that you are talking about.

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

Ms. KAPTUR. I yield to the gentleman from Oklahoma.

Mr. COBURN. Mr. Chairman, perhaps the gentlewoman did not hear my first statement. There is nothing in this amendment that will limit the research of any drug in any way, in any concept, whose purpose is something other than that. So if you were to take Cytotech or RU-486 and say you want to try to use it in a different way, this does not limit that at all. When you file an application with the FDA, you give what your intended purpose is.

What this amendment says is if you bring to the FDA a drug whose only intended purpose is to induce the separation of a blastocyst from the uterine wall, that is the technical term for what it does, that they should not spend money approving that.

If you bring the same drug to the FDA and say this is something that solves a problem with the liver, or this decreases portal hypertension, even though it might have that effect of causing an inducement of abortion, it is still approved.

Let me give you some examples. There is a new hair treatment to grow hair back on the head of the gentleman from California (Mr. WAXMAN), yet it cannot be used around anyone wanting to get pregnant. Why? Because it causes severe birth defects and can in fact induce abortions. That was approved. This would not eliminate that drug from ever coming to market or the FDA spending money on it.

Ms. KAPTUR. Mr. Chairman, reclaiming my time, I guess my point is to the gentleman that scientific inquiry and the work of the FDA by its very nature probes into the unknown, and even though the gentleman says that a given drug has to state a purpose, I am saying that we do not always know, once science begins to move, all of the various applications that science might ultimately have for that substance.

So I think that one of the reasons for my opposition to the amendment is I do not think we ought to prejudge science. We ought to let the Food and Drug Administration move forward, the scientists ought to move forward. Let them do what they do best.

I would guess that most drugs have more than one application, and the chemicals that go into them. Even today, many drugs are given, prescription drugs in fact, that may have side effects or other results that even the FDA scientists have not anticipated as they begin.

The second reason I oppose the gentleman's amendment is because I real-

ly do believe that this should be within the Food and Drug Administration. I do not think that we should be making this decision on the floor. We should leave it up to the people over at FDA to decide the procedures for drug approval and so forth, and Federal law currently provides that no Federal money can be spent for abortion. That has been on the books for many, many, many years. So I think that we should let the FDA do its job.

Finally, I would say to the gentleman, with all due respect, this subcommittee of the Committee on Agriculture had absolutely no testimony on this issue. The gentleman is bringing a very important issue to the floor. I personally, as just one member of that subcommittee, would have appreciated to have the FDA testify before us, many scientists, to talk about the chemistry of what the gentleman is concerned about, to try to perfect the language of what the gentleman is trying to offer here.

We really have heard from no one in the public on this particular subcommittee. So I find it somewhat uncomfortable to try to accept the gentleman's amendment, when our subcommittee really had absolutely nothing, we did not spend one minute on this within the committee itself.

So for those three reasons, and I want to yield time to other Members to comment, on the basis of science, on the basis of the safety by having the FDA involved, and also committee procedure, I would respectfully oppose the gentleman's amendment.

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

Mr. COBURN. Mr. Chairman, I yield myself such time as I may consume to respond.

Mr. Chairman, again, what the gentlewoman just said is it is against the Federal law to use Federal dollars for abortion, but in fact when the FDA approves a drug whose sole purpose is to kill unborn children, that is spending Federal dollars to perform abortion. So I would counter that.

Number two, there was no intention to come before your committee on this issue. This is a well-known issue, this is well documented. There is lots written on RU-486 and Cytotech, and through this discussion I will be happy to give you all of the references in the literature on that.

Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania (Mr. PITTS).

Mr. PITTS. Mr. Chairman, I rise today in support of the Coburn amendment's efforts to protect the lives and health of our Nation's women and unborn children.

This amendment would bar FDA's approval and development of new drugs whose primary purpose is to induce abortion. Those are called abortifacients.

Some people believe it is in the best interests of women to make all forms of abortion available to women. How-

ever, even for those who support abortion on demand, approving RU-486 is shortsighted and it is a risky approach. Scientific studies have shown a link between abortion and breast cancer. Unfortunately, many who commit abortions do not want to let women know about that risk.

Breast cancer is the leading form of cancer among middle-age American women, but we do not even want to tell women who are considering abortion of this risk.

Ten out of 11 studies on American women report an increased risk of breast cancer after having an induced abortion.

A meta-analysis in which all worldwide data were combined reported that an induced abortion elevates a woman's risk of developing breast cancer by 30 percent. How can we in good conscience approve new forms of abortion before we study the breast cancer and abortion link further and let women know of the risk?

This is the kind of investigation that should be done. This kind of information should be held in hearings before the committee. So I urge the Members to support the Coburn amendment to protect women, both born and unborn.

Ms. KAPTUR. Mr. Chairman, I yield 4½ minutes to the gentlewoman from the State of Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Chairman, I thank the gentlewoman for yielding me time.

Mr. Chairman, I might just say to the last speaker, very quickly, that in fact the editor of the Journal of the National Cancer Institute has said that there is insufficient evidence that exists to link induced abortion and breast cancer. That is a medical opinion.

Let me move onto this amendment this afternoon. I am shocked, quite frankly, that we are going through this debate again this year after the outcry of the many medical and pharmaceutical organizations who opposed this amendment last year. It is an unprecedented invasion into the FDA's approval process.

Quite frankly, this is a place where Congress has no right to be. We are not scientists. We do not know what is best for the health of American citizens.

This amendment is intended to block research. It blocks not only drugs that are currently in the pipeline, but potential future breakthroughs in biomedical research. It is an attempt to promote an anti-choice agenda. I have respect for people who have a different view of this issue on choice than I do, but the proponents of this amendment are risking the lives of millions of Americans, because this amendment would also block the development of drugs to cure cancer, ulcers, rheumatoid arthritis, epilepsy, and other medical conditions because some of those drugs can cause a spontaneous miscarriage.

Let me read you a portion of a letter from the National Coalition of Cancer

Research that is just one of the many medical organizations that is firmly opposed to this amendment:

"Attempting to legislate any drug's approval or disapproval is inappropriate. It starts down a slippery slope of prohibiting development in certain drug categories. The comment that the ranking member of this committee made, not only does it threaten the credibility of the drug approval process, it would impede the development of pharmaceuticals to treat different diseases not related to reproduction, such as cancer. If disease or condition-specific approval is dictated by legislative action, drug researchers' efforts to develop new therapies will be stymied." By passing this, the FDA's approval process would be prevented from having the opportunity to do something about this issue.

Let me just talk to you for a second as a cancer survivor. I am a survivor of ovarian cancer; 25,500 women will contract ovarian cancer this year; one-half of them will die. Any chemotherapy drug that is taken by anyone with cancer, any chemotherapy drug has the propensity to cause a spontaneous miscarriage. Why do we take our personal philosophy about where we are on choice and try to foist it on the millions of Americans who, through no fault of their own, contract cancer or a serious illness?

□ 1445

Why would we relegate millions of women to die because we have a particular view on choice?

Mr. Chairman, it is wrong for us to prevent biomedical research. We have an obligation. We spend billions of dollars to promote what happens at the National Institutes of Health because we believe we have the obligation to cure disease in this country. Do not take an action here this afternoon that would in fact condemn millions to die because somehow we want to score a point on choice in this country.

It is wrong, it is unconscionable, and I plead with my colleagues to defeat this outrageous amendment this afternoon.

Mr. SMITH of New Jersey. Mr. Chairman, I ask unanimous consent to control the time allotted to the gentleman from Oklahoma (Mr. COBURN) during his brief absence.

The CHAIRMAN (Mr. PEASE). Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. SMITH of New Jersey. Mr. Chairman, I am happy and pleased to yield such time as she may consume to the gentleman from North Carolina (Mrs. MYRICK).

Mrs. MYRICK. Mr. Chairman, I think most of us agree that we would like to be seeking alternatives to abortion, rather than making abortion more accessible.

But the one issue that I wanted to speak on today is what has been shown scientifically as an increased risk of

breast cancer. Supposedly there is a link between breast cancer and abortion. This should be examined much more thoroughly before any new forms are approved.

Ten out of 11 studies on American women report an increased risk of breast cancer after having an induced abortion, particularly among women with a history of breast cancer in their families. We know this is already a major problem which we are trying to effectively deal with because currently cancer is the leading form, or breast cancer is the leading form of cancer among middle-aged American women.

In the few countries in which RU-486 is available, it is strictly regulated by the government's health care systems. However, in the U.S., control of abortion drugs is more lax, and sometimes they are often dispensed without a doctor's approval, which again potentially endangers women's health.

But because of the potentially dangerous side effects of abortion, and this is not just physical, this is emotional, as well, these drugs should not be administered without consultation and medical follow-up with a doctor. So I hope we give this serious thought.

Ms. KAPTUR. Mr. Chairman, I am very pleased to yield 4 minutes to the gentlewoman from the great State of New York (Mrs. LOWEY), a member of the committee.

(Mrs. LOWEY asked and was given permission to revise and extend her remarks.)

Mrs. LOWEY. Mr. Chairman, I thank our ranking member for yielding time to me.

Before I address the overall issue, I would like to respond to my colleague, the gentlewoman from North Carolina (Mrs. MYRICK) by reading another quote.

"The Danish researchers concluded that induced abortion has no effect on the risk of breast cancer." When reporting on a particular study, the New York Times stated: "This longstanding issue shall now be settled. No evidence exists to link induced abortion and breast cancer."

Mr. Chairman, I rise in strong opposition to the Coburn amendment. The amendment would stop the drug approval process in its tracks by placing unprecedented roadblocks in front of the FDA. It puts ideology ahead of science and compromises women's health.

The Coburn amendment would block the final approval of a drug, RU-486, that the FDA has already declared to be safe and effective. I repeat, this amendment would block final approval of a drug that the FDA has already declared safe and effective.

This amendment would make FDA drug approval contingent not on science but on politics. The FDA is charged with protecting the public's health, and should not be subject to congressional interference. Should we subject each FDA decision to a congressional vote? Mr. Chairman, let us

allow the FDA to do its job free from right-wing intimidation. The American people do not want the Christian Coalition in charge of our Nation's drug approval process.

This amendment may also prohibit the development of new, more effective contraceptive methods, if Members believe, as some do, that any form of hormonal contraception, like in this bill, is tantamount to an abortion.

What about other drugs that as a side effect may induce abortion, like many chemotherapy drugs and anti-ulcer medication? Will research be halted on these lifesaving drugs as well? This amendment is too vague even to give us a clear answer to that question.

So, Mr. Chairman, this amendment is about much more than RU-486. It is about whether the FDA will be free to test, develop, and approve needed drugs without congressional interference. It is about whether politics or science will govern our Nation's drug approval process.

Since *Roe v. Wade*, the anti-choice minority has attempted to stymie contraceptive research and suppress advances in reproductive health. For example, there used to be 13 pharmaceutical companies engaged in contraceptive research. There are now four. Thankfully, despite pressure tactics, scientists have made some important progress. Among the most significant is the development of RU-486.

RU-486 would make a dramatic difference in the options available to women facing unintended pregnancies. It could make abortion, already one of the safest medical procedures, even safer. Women in France have been using RU-486 for a decade. It is also available in Sweden and Great Britain.

Over 400,000 women have had abortions using RU-486. The New England Journal of Medicine has published clinical trials confirming its acceptability and effectiveness. Also, RU-486 has another significant advantage over current abortion procedures, it can be given in the privacy of a physician's office.

What will the right do when it is approved? Will it picket every doctor's office in America? Will it harass every woman in the Nation? Thankfully, it cannot. That is why it is fighting to block the approval of this drug.

Mr. SMITH of New Jersey. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, first of all, I just want to respond briefly to the previous speaker. When I hear talk of the so-called anti-choice minority, I find that not only empirically unsound, because the data clearly shows America is moving increasingly toward the right-to-life position. But its insulting as well. Minority? I don't think so. As a matter of fact, two polls recently came out. One was done by Faye Wattleton's group, the former president of the Planned Parenthood Federation of America. According to The Center for Gender Equality Survey, January of

1999: "Seventy percent of women favor more restrictions on abortions;" women, 70 percent. That doesn't sound like a "minority" to me. The survey also found fifty-three percent of women today favor banning abortion except for rape, incest, and life of the mother. Rape, incest and life of the mother is about two or three percent of all the reasons as to why abortions are procured. So most women want most abortions made illegal.

Most of the 4,000 babies who die, each day in America from abortion would be saved if the opinions of a majority of women—if their sentiment—were enacted into law. The Coburn amendment does far less than what a majority of women want and we are not talking even remotely about banning abortion in this pending amendment. Yet, 53 percent of women today favor banning abortion, except for rape, incest, or life of the mother.

The survey interestingly points out that that is up from 45 percent of women just 2 years ago. So there is a sea change occurring. Americans are beginning to wake up to the fact that abortion is violence against children.

There is also a USA Today CNN Gallup poll that found that 55 percent of all men and women say abortion in America should be legal only under rape, incest, or threat to the life of the mother. So again, a majority of men and women and a majority of just women that have been found in the USA Today-CNN poll and the Center for Gender Equality survey that the majority is in favor of protecting the lives of innocent unborn children, except in the most extreme circumstances that, frankly, rarely, rarely happen.

If we had legislation that protected those children, again, we would be saving most of the lives. When polled on funding, an overwhelming majority of Americans in every poll, and I ask Members to look at their own polls in their own districts, most will show clearly an overwhelming majority of Americans are against using taxpayer-funded monies to pay for abortions, except in the rarest of cases.

This legislation, this amendment, the amendment offered by the gentleman from Oklahoma (Mr. COBURN) is the Hyde amendment of the FDA. Let us be very clear about it, it is the Hyde amendment being applied to testing of those drugs that are used to procure an abortion.

I believe history and human rights observance are on our side, the pro-life side. Some day the viewpoint from the pro-abortion side will be seen as so misguided and even cruel that people will say, how could they have imposed such violence on innocent, unborn children, especially at a time when we know more about unborn children than ever before in the history of mankind or womankind. Today microsurgery on unborn children, is almost common place. Children are literally lifted out of the mother's womb and surgery is

performed, and then they are re-inserted to grow and develop and mature until birth time.

Birth has to be seen, I say to my colleagues, as an event that happens to each and every one of us. It is not the beginning of human life. That happens much, much sooner than that at fertilization.

What the gentleman from Oklahoma (Mr. COBURN) is trying to do with his amendment is to say that babies are not junk. They are not throwaways. Some Members want to allow the FDA to invent the newest form of mousetrap, to come up with another more lethal way of destroying unborn children. We can't allow that to happen. And RU-486 is not really a morning after drug, it is used up to 7 weeks after fertilization. It causes the abortion to occur usually after 7 weeks into the gestational cycle. That is not morning after.

I find it offensive, that my tax dollars, American people, not some so-called anti-choice minority but a pro-life majority are used to test and approve deadly poisons for children.

The pro-abortion side does not enjoy a majority in this country. Through manipulation of poll data over the years the pro-abortion side has given the impression, the perception that that is the case, but now the pollsters are now asking more specific and enlightening questions, and all of a sudden it is revealing that, one, more people are pro-life, and also, when they ask the same question over the last several years, there has been a change in our direction.

My friend from New Jersey Mrs. LOWEY says there is no linkage of abortion and breast cancer. Yet 10 out of 11 studies on American women report an increase in breast cancer when women under goes abortion. The "denial" people remind me, of the tobacco Institute denials who year after year said there is no connection between smoking and lung cancer.

There is a compelling linkage of breast cancer and abortion. Dr. Janet Daling, with a National Cancer Institute-funded study, found that after just one abortion there is an increase in the aggregate of all women of about 50 percent in the propensity to get breast cancer. She is not a pro-lifer. She does not agree with my position or that of the gentleman from Oklahoma (Mr. COBURN).

She also found that if a woman aborts her first baby that number shoots up to 150 percent. Shame on those who say there is no linkage. They are misleading women. They are misleading women. And putting women at risk.

Dr. Daling also found that where there is a history of breast cancer in that family, the vote skyrockets to 270 percent when abortion is involved. So if the mother, or the grandmother or sister or someone in that family has had breast cancer, one abortion means that there is a greater likelihood that

she will get breast cancer. Why the coverup

We would hope that the FDA would spend more time looking at drugs to mitigate breast cancer and to try to get rid of that terrible, terrible disease, and that the whole abortion establishment would stop the cover-up, and begin informing women about their risks.

Let me just also point out, Mr. Chairman, that RU-486 and chemical abortions, just like dismemberment abortions, just like those abortions where the baby's brains are literally sucked out, partial birth abortions, chemical abortions are just another way of killing the baby.

I think it is time to stop pro-abortion sophistry and the ignoring of the basic fact that every act of abortion takes a life. It is violence against children. Some day we are going to realize that, Mr. Chairman. We do not want our tax dollars being used to perfect another way, another chemical poison, another baby pesticide to kill babies. That is what we are talking about. Come up with drugs that heal, do not promote drugs and make me and my colleagues on the pro-life side on both sides of the aisle fund and pay for killing agents.

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

Mr. SMITH of New Jersey. I yield to the gentlewoman from New Jersey.

Mrs. LOWEY. Mr. Chairman, I would just like to refer my colleague again to statements from the National Cancer Institute, because we feel so strongly that we should not be mixing up politics and science, confusing our own personal views, and I respect the gentleman's, on whether or not women should have a choice. I would expect that the gentleman respects others'.

In 1996 the National Cancer Institute, concerned that some anti-abortion groups were misrepresenting the science on the subject, issued a statement, not my statement, their statement, and I quote, "The available data on the relationship between induced abortions or spontaneous abortions, miscarriages, and breast cancer are inconsistent, inconclusive. There is no evident of a direct relationship between breast cancer and either induced or spontaneous abortion."

Mr. SMITH of New Jersey. Reclaiming my time, Mr. Chairman, as I pointed out earlier in the debate 10 of the 11 studies on American women reported an increase on breast cancer when the women had an abortion. You may say there needs to be more studies. I say there needs to be more studies. Everybody says that.

But when we get a preponderance of studies pointing in the same direction, I think we should alert women that there is a negative devastating side effect sometimes manifesting itself 20 to 30 years down the line that cannot be ignored and trivialized.

When Janet Daling's study came out, which was National Cancer Institute-funded it received adequate coverage in

the Washington Post for one day. Then all trace of the story was killed with spin from the abortion rights side.

Mr. COBURN. Mr. Chairman, I ask unanimous consent to reclaim control of the time.

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

There was no objection.

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

Mr. Chairman, I want to respond to the National Cancer Institute study. The gentlewoman added one word there that totally throws out what they said, "spontaneous." If we add all the spontaneous abortions in with the induced abortions, we will not get an effect, because the number of spontaneous abortions is close to 600,000 to 700,000 per year, 800,000 in some studies. So by combining that data, a normal response to a wrong and incomplete reproductive event to the termination of a normal event, we do not have good data. They know that. That is why they put that material in there.

I want to continue my point, if I may. I will be happy to debate back and forth with the gentlewoman.

Mr. Chairman, I heard from this floor statements exactly opposite of what I said was the intention of my amendment. I am deeply concerned that people would use untruth about what this intended amendment is. Everyone knows me well enough that I am not going to oppose good research for things that help people get well.

There is nothing, and it does not matter what the gentlewoman says, there is nothing in this amendment that will eliminate any cure for cancer, eliminate any process under which any drug can be studied for cancer, because the actual application that the Food and Drug uses, which is right here, it says, what is the purpose for the IND. And if the purpose is chemical inducement for abortion, then they cannot do it. If it says anything else other than that, they cannot.

Finally, I would like to comment about the comments on whether or not we ought to be involved in this.

□ 1500

If the issue of life is not something this House should debate, I do not know what we should debate. There is nothing more important, whether it is the end of life or beginning of life.

We can have our differences. We have a Supreme Court ruling; I understand that. But to say we should not be debating and then finally to say that Congress should not try to work what it thinks the will is, I would propose that most of those who oppose this amendment voted for the amendments that limited drive-through deliveries, that limited drive-through mastectomies, so they have already said that they believe that Congress should practice medicine.

My colleagues cannot claim both sides of this issue. Either they think it

is a proper position for this government or this Congress to get involved in things that are wrong or they do not.

Now my colleagues may not agree with the issue, but to use the false premise that we should not be discussing this is intellectually dishonest; it is inappropriate and misstates the situation.

There is nothing in this amendment that will limit NCI's research whatsoever into any cancer treatment, into any treatment whatsoever in any way. To claim otherwise is to distort the truth for purposes of debate and to not carry out an equitable and fair debate.

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

Ms. KAPTUR. Mr. Chairman, may I inquire of the Chair the remaining time on both sides, please.

The CHAIRMAN. The gentlewoman from Ohio (Ms. KAPTUR) has 44½ minutes remaining. The gentleman from Oklahoma (Mr. COBURN) has 40½ minutes remaining.

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

Mr. Chairman, I wish to state that, as I listened to the gentleman from Oklahoma (Mr. COBURN) and his desire to try to protect life, I think that his amendment and the words of his amendment, in fact, do not do that. So there is not a disagreement with the objective, but rather the means to get there.

Mr. Chairman, I yield 3 minutes to the distinguished gentleman from California (Mr. WAXMAN).

Mr. WAXMAN. Mr. Chairman, I thank the gentlewoman from Ohio (Ms. KAPTUR) very much for yielding to me this time.

This bill does not provide taxpayers subsidies for abortion. This bill before us is an appropriation to fund the Food and Drug Administration. The Food and Drug Administration receives applications from those private industries that manufacture drugs who come to them and say we want to market our drug. But the law says we must apply to FDA to assure the public that the drug is safe and effective. The FDA then uses its scientific method to determine whether the drug ought to be sold as safe and effective.

The Coburn amendment would prevent the FDA from using science. It would say to the FDA they may not approve a drug that is safe and effective because we are going to substitute a political judgment for what has been a scientific judgment under which the FDA has been mandated in carrying out its responsibilities. So what we are doing is preventing taxpayers' funding of the Food and Drug Administration to determine whether a drug is safe and effective.

Now, there is an interesting argument that the gentleman from Oklahoma (Mr. COBURN) makes, and I am sure he is sincere, that his amendment would only apply to a drug solely to be used for abortion purposes. But that is

not what his amendment says. His amendment says that the FDA cannot use any of its funds for testing, development, or approval of any drug for the chemical inducement of abortion. Well, "for the chemical inducement of abortion" may be a side effect of a drug that may be intended to cure cancer. It may be intended for some other purpose.

Now abortion is legal. If abortion is legal, why should we not allow funds to be used by private enterprise to develop a drug that would lead to safer abortions, earlier, safer abortions?

We have heard the story about the link of abortions with breast cancer. I have seen no evidence of that. But let us say that there is a drug that would allow a termination of a pregnancy without any additional risk that may now be out there for those who do decide to terminate a pregnancy.

This amendment is a political amendment. It really is inappropriate in this legislation not to allow the FDA to do its job, which is to use science, to allow research based on science as the FDA considers whether a drug ought to be marketed to the American people.

I would hope that we would oppose this amendment and let FDA do its job and allow a procedure that is legal to be done in the safest possible way.

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

I would like to respond to the gentleman from California (Mr. WAXMAN). Number one, the definition of "for" under the dictionary that we have in the House is with the object or purpose of.

The gentleman refuses to address our issue. Our issue is that Federal dollars should not be used to enhance the taking of life. Now, his claim that he has no knowledge of the connection between breast cancer and abortion, I can take that. He probably had not read the studies. I have read every study. Having been trained in science and having read all studies associated with breast cancer and abortion, I think there is some legitimacy to it. I do not know how much there is, but I have read it at least.

Number two is, for the gentleman to object that this is not a place for this debate, again it is not inappropriate, for we have an opportunity as Members of this House to put limitation amendments on appropriations bills. We may not like it, and I understand that, but it does not mean that it is inappropriate or wrong for us to do it.

I also have the legislative history where my dear friend, the gentleman from California (Mr. WAXMAN), has been very effective in doing some of these same things in the past himself. So the use of a limitation amendment on an appropriation bill is both appropriate and within the rules of the House.

So again I want to say this amendment will not, and I will take my colleagues to the application of the Food

and Drug Administration, one has to list a purpose or indication for a drug when one applies. If that is something other than the inducement of abortion, then they can approve anything. The gentleman from California (Mr. WAXMAN) knows that. He knows what the forms say. He knows more about the Food and Drug Administration than anybody in this Congress. I understand that. But he also knows full well that this amendment will have its intended purpose, and that no drug whatsoever which has a purpose other than that will be limited in any way.

Mr. WAXMAN. Mr. Chairman, will the gentleman yield to me?

Mr. COBURN. I am happy to yield to the gentleman from California.

Mr. WAXMAN. Mr. Chairman, I will insert for the RECORD a statement from the Food and Drug Administration where they say very clearly they do not read the gentleman's amendment as he does. Their lawyers have said this will prevent them from dealing with any drug that is brought to them for approval that may have the consequence of terminating a pregnancy.

But my view is, even if its original intended purpose is to terminate a pregnancy, if it is a safer way to do that, we may be saving lives as a result. We may be saving the life of the mother.

Mr. COBURN. Reclaiming my time, let me give the gentleman from California some reasons why we have breast cancer associated with abnormal pregnancies. When a woman is pregnant, there is a large increase of both estrogen and progesterone. The abrupt termination of those, one has turn-on factors in the breast tissue which are not modulated in a normal cycle that the body knows how to do it. That is why we also see an increased risk of breast cancer in women who have late onset pregnancies.

This is not something that is new to the medical community. This is something that we suspect, and now we are starting to see data for. I understand the gentleman's opposition. I would say I would be happy to take an amendment from the gentleman from California (Mr. WAXMAN) that puts the word "solely" in there. I would happily agree to that. But I think his real objection is that we should not be doing this. But the point is I am happy to accept an amendment that will say solely for that, because, as a practicing physician, I know we sometimes get consequences that are ill-effective, and I have no intention of stopping it.

The final point that I would make is the lawyers for the FDA ought to read the legislative history. This passed the House last year, and the history on it shows very much, we actually even had a ruling from the Chair which the gentleman from California (Mr. WAXMAN) had the point of order on, which said this would do that, and the Chair ruled it would not.

Mr. Chairman, I yield 5 minutes to the gentleman from Indiana (Mr. HOSTETTLER).

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

Mr. HOSTETTLER. Mr. Chairman, I rise in strong support of this amendment from the gentleman from Oklahoma (Mr. COBURN). The Supreme Court has told us that we have to allow the killing of unborn children on demand. It has not, however, told us the government has an obligation to facilitate this service.

This amendment would help ensure that American taxpayers do not end up funding the approval of drugs that are designed to kill our unborn children. FDA's mission, as it was created by this very Congress, should be to approve drugs that save lives, not end lives.

I would just hasten to add that Congress does have oversight responsibility with regard to all agencies of the Federal Government. It has been stated that Congress is sticking its nose into places it should not be. Well, if Congress should not be here now, then it is assumed that the proponents of that philosophy say that the Federal Government should not have been involved in the Food and Drug Administration's creation.

Secondly, there has been the point made with regard to the Supreme Court and the Supreme Court decision that has been made. Earlier today we heard an oath from a new Member that said he swore to support and defend the Constitution of the United States. He did not say anything about according to what the Supreme Court says that the Constitution says.

Separation of powers says that the House of Representatives, the Congress, has the constitutional obligation to determine constitutional intent; and that is what the amendment of the gentleman from Oklahoma (Mr. COBURN) is doing right here, saying that it is Congress' obligation to determine how the taxpayers' money is spent.

The point has also been made that Congress are not scientists. Well, there are several of us that happen to be scientists. We are not in the area with regard to medical science, but we have been told about other doctrines of science, other theories of science; and that is one of those old theories that we are asked to subscribe to today.

□ 1515

And that is that we are led to believe that if a child, if an individual is conceived, that 9 months later it turns into something that it was not. During the Dark Ages and shortly thereafter, that was a scientific theory that was subscribed to, called spontaneous generation, which said basically if rancid meat sat in the corner for 24 days, there will be flies there. So that meant that rancid meat ultimately turned into flies.

Well, that is not the point here. The point is that a child at conception is a child at conception, it is a child 2

months after conception, it is a child 9 months after conception, and it is a child 2 years after it is born.

We should not, as Members of this House, be asked to subscribe to a theory in science that was done away with hundreds of years ago by scientific knowledge at that time. Therefore, we are being asked to facilitate the FDA doing something safe and effective. If that child is a child at conception, and it does not automatically spontaneously generate into a child sometime later, then we are to make sure that drugs are safe and effective for children that are inside the womb as well and not be facilitating the destruction of that human life.

Finally, I will say that there has been much said here about cancer survivorship, and I would be one that would say that I am pleased at the rate of survivorship of Members of this House, Members of this Chamber. My mother is a cancer survivor. However, my father had cancer and he is not a survivor of cancer. This weekend I am going to take part in a relay for life where those survivors of cancer are going to come and celebrate life. My father will not get to take part in that process this year because he is not a survivor of cancer, but I can tell my colleague this: that the way my father raised me is such that he would not take one innocent child's life in order for him to survive cancer.

And that is not what this amendment does. It says and I quote, "None of the funds made available in this act may be used by the Food and Drug Administration for the testing, development, or approval, including approval of production, manufacture or distribution, of any drug for the chemical inducement of abortion."

This amendment by the gentleman from Oklahoma simply deals with a phenomenon of the day, and that is RU486, an abortifacient, that is not being used to treat people and cure people of cancer as it could have my father. Let us remove all the veneer, let us remove all of the camouflage over this and tell the story as it is. The gentleman's amendment will not stop one drop of research into saving people's lives that have cancer. I wish that research would have happened a few years earlier, so that my father could have taken part in that relay for life this weekend.

Let us do say a word for life today. Let us say that innocent preborn life is worth securing, is worth protecting and is at least worth not spending taxpayer dollars on to find a more efficient way to exterminate it.

Ms. KAPTUR. Mr. Chairman, I yield 2 minutes to the gentlewoman from Colorado (Ms. DEGETTE).

Ms. DEGETTE. Mr. Chairman, I am frankly disturbed by the claims that are being made by the proponents of this amendment. The proponents of the amendment say that the drug cannot be used for the sole purpose of abortion or the primary purpose of abortion, but

that is not what the text of the amendment says. What the text of the amendment says is none of the funds appropriated shall be used for the testing, development or approval of any drug for the chemical inducement of abortion. Those words are not in there.

But there are more problems than that. The other problems are that there is no recognized definition by the FDA of the words "chemical," "inducement," or "abortion." So nobody is filing applications with the FDA saying we want to use this research solely for the purpose of the chemical inducement of abortion.

The truth is the way this amendment is written it would prevent research on many, many drugs which may have a side effect of causing abortion. And if my colleagues believe the last speaker, many people believe that that is appropriate. Many people believe that it is a worthwhile societal goal to have millions of cancer victims die in order to stop what may be abortions. That is unacceptable both from a human and a scientific standpoint.

The truth is under this amendment we would be banning research of drugs which would cause miscarriages by treating cancer, hypertension, cirrhosis, rheumatoid arthritis, and even some vaccines. We cannot sacrifice scientific research into abortion, which is legal, or equally importantly into cancer and all these other things simply because of a political agenda. And that is what we are talking about here. We are talking about a political agenda.

And the reason this amendment is written so broadly is because there are people who would ban drugs whose primary purpose is for other purposes, like cancer research, in order to stop abortion. And that is wrong. Defeat the amendment.

Ms. KAPTUR. Mr. Chairman, I yield 2 minutes to the gentlewoman from Maryland (Mrs. MORELLA).

(Mrs. MORELLA asked and was given permission to revise and extend her remarks.)

Mrs. MORELLA. Mr. Chairman, I thank the gentlewoman for yielding me this time and I rise in strong opposition to this amendment which would restrict the FDA from its current system of research and testing of drugs that could eventually save lives.

Reproductive health drugs should be subject to the FDA's strict science-based requirements which any drug must meet before approval can be granted, but this amendment would prevent the FDA from reviewing any drug that could possibly induce miscarriages as a side effect.

Health research is threatened when we legislate decisions that should be left to medical researchers and doctors. Under current law, a company that wants to begin clinical trials on a new drug submits its application to the FDA for approval and, if the application has not been responded to within 30 days, the company is free to move forward. With this amendment, no

funds could be used to oversee or even disapprove of such tests.

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

Mrs. MORELLA. I yield to the gentleman from Oklahoma.

Mr. COBURN. Mr. Chairman, I would say to the gentlewoman that there is nothing in the legislative history or the ruling of the Chair from last year or the legal parameters that we have had that makes the gentlewoman's statement a true statement.

The fact is that all drugs whose sole purpose is something other than the chemical inducement of abortion have free reign at the FDA, and I thank the gentlewoman.

Mrs. MORELLA. Reclaiming my time, Mr. Chairman, the gentleman's amendment, though, would say review of any drug that could possibly induce a miscarriage as a possible side effect.

Well, now this amendment is opposed by such groups as the National Coalition for Cancer Research and the American Medical Association, and they believe very strongly, as we do, that attempting to legislate any drug's approval or disapproval is inappropriate and that not only does it threaten the credibility of the drug approval process, but it would impede development of pharmaceuticals that may be used either as contraceptives or to treat diseases related to reproduction.

As a matter of fact, it was during last year's debate that drug companies stated that researchers and pharmaceutical companies would be less likely to invest in drugs that might cause miscarriages, and currently many drugs do have this side effect.

So if disease- or condition-specific approval is dictated by legislative action, we are in big trouble. So I urge my colleagues to vote against this amendment.

Mr. COBURN. Mr. Chairman, I yield 5 minutes to the gentleman from Florida (Mr. WELDON), and I would note for the House that he is a medical doctor.

Mr. WELDON of Florida. Mr. Chairman, I thank the gentleman for yielding me this time, and as Yogi Berra said, "It's like *deja vu* all over again." We are having this argument now and it is the same set of arguments as we had last year when the Coburn amendment passed the House, I believe by a margin of 223 to 202. I would encourage all my colleagues to vote in support of the Coburn amendment.

I believe very strongly that this is a very reasonable and prudent amendment. As has been very, very clearly stated by the gentleman from Oklahoma, when these pharmaceutical companies, medical schools, individuals put in these applications for new drug approval, they put down what its indication is. And the Coburn language is very specific. We had a ruling from the Chair on this issue last year. If the specific indication is to induce chemical abortion, under the provision of his amendment they will be barred from doing that.

Now, I practiced internal medicine for 15 years prior to coming to the House. I still see patients occasionally on weekends. I have had the unfortunate experience of diagnosing people with cancer; indeed, the even more unfortunate experience of seeing many of my patients die. And I would not support any amendment that in any way would interfere with the new development and approval of drugs for the treatment of cancer. And I think it is very disingenuous for anybody to imply that this amendment would have that kind of an implication. This amendment is very, very clear in its language. It is very, very well targeted.

I would also like to point out that what we are talking about today is very, very significant. The FDA has been around for years, and it has safeguarded the American people from the introduction of many potentially dangerous drugs. A great example of this is thalidomide, a drug that was introduced in Europe and produced terrible birth defects. But our American Food and Drug Administration never approved that drug and, thus, prevented millions of American babies from being born with such a type of malformation.

The Food and Drug Administration has never had a drug application before it where the specific intent of the drug was to lead to the death of an unborn baby. Now, abortion, obviously, is a very controversial issue. Every time these issues come up, the arguments are very, very impassioned. And they should be because it is an issue of life and death.

We all know that the baby in the womb has a beating heart. At 40 days it has detectable brain waves. Those are the criteria that I used to use when I practiced medicine to make a determination as to whether or not somebody was dead or alive. So this is a very, very significant issue. And to have the U.S. Food and Drug Administration reviewing a drug and approving a drug where its intended purpose is to kill the unborn baby in the womb, I think, is very, very inappropriate. I think it is very, very appropriate for us to speak on this issue. So, therefore, I would encourage all of my colleagues to vote "yes" on the Coburn amendment.

I just want to touch on one additional issue that has come up in the course of this debate, and that is the reported possible link between abortion and breast cancer. My colleagues, I have reviewed the studies on this issue and the studies are very, very compelling that there really is a link. The statement released by the NCI, I believe, is a very disingenuous statement. It really sincerely ignores the facts on this issue.

If my colleagues actually take the time to read the studies, it is very, very bothersome to me that there are a lot of people within the cancer research community that are turning a blind eye to this issue.

Now, finally, let me close by saying the President of the United States once

said in a speech that he wanted to make abortion safe, legal and rare. There are lots of us who hold that abortion is never safe for the unborn baby in the womb, and I do not think anybody would argue with that. Some people may want to turn a blind eye to the humanity of that child in the womb, but it is never safe for the child in the womb.

Might I also say that there has been absolutely no effort on the part of the administration to truly make abortion rare. Indeed, in trying to push through something like this, we are in many ways trying to facilitate abortion, trying to make it easier, make it more common. And I do not think we should be going in that direction.

I applaud the gentleman for introducing this amendment, and I encourage everyone to support it.

Mrs. LOWEY. Mr. Chairman, I ask unanimous consent that I be allowed to manage the time of the gentlewoman from Ohio (Ms. KAPTUR).

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

There was no objection.

Mrs. LOWEY. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. BENTSEN).

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

Mr. BENTSEN. Mr. Chairman, I rise in strong opposition to this amendment offered by the gentleman from Oklahoma (Mr. COBURN).

The author of this amendment may, in fact, believe that it is narrowly drawn and will not affect other research that is being done, but I think his comments a few speakers ago, when the gentleman from California was talking, that he was willing to accept a clarifying amendment, indicates even a specter of doubt in his own mind that there may be a problem with this amendment.

The fact is, even with the ruling of the Chair, this issue would not be decided by the Chair; it is ultimately decided across the street at the Supreme Court.

□ 1530

That is what is to happen if we go through with this type of amendment because it may address RU-486 today, but it will open the door for lawsuits to address other types of research tomorrow and it will not be decided in this body or in the other body, it will be decided in the courts. This is a very dangerous precedent-setting amendment that takes the Congress, in my opinion, down the wrong path where we do not want to go.

The gentleman raised the issue of drive-through mastectomies and drive-through deliveries, and, yes, voted for those. I do not know if the gentleman did or not. I think that is a dangerous position for us to take. But here we are going even further. And I think this amendment is so broadly drawn that it

creates a serious problem, and I think the House ought to reject it.

Our other colleague from Indiana talked about removing the veneer. Well, let us do remove the veneer. This is not just about RU-486. This is about chipping away once again at "Roe v. Wade" and getting this in front of the Supreme Court again and seeing if they can overturn a woman's right to choose. That is what this is about. But in the wake of doing that, it creates a lot of damage in the research world.

I hope my colleagues will oppose this poorly drafted amendment.

Mr. COBURN. Mr. Chairman, I yield 3 minutes to the gentlewoman from Connecticut (Mrs. JOHNSON) who is, I might say, in opposition to my amendment.

Mrs. JOHNSON of Connecticut. Mr. Chairman, I thank the gentleman for yielding to me, knowing that I oppose his amendment. And I do oppose his amendment very strongly.

The law of the land is that abortion is legal, whether we like it or not. The law of the land and Supreme Court decisions have given women total control over the decision of whether they will get pregnant and carry a pregnancy during the first trimester. That right is compromised as the fetus grows and women have essentially no right to abortion except under extreme circumstances that are life-threatening toward the end of their pregnancy.

Now, that is simply the law of the land. If my colleagues do not like it, bring a bill to ban abortion, and let us debate that on the floor as the representatives of the people. Let us see if America wants a policy that bans abortion.

Italy has reversed their policy banning abortion because if we ban abortion, we just raise the number of women who die, who die getting illegal abortions. And we know that that was true in our history.

When we first made abortions legal, the big change was not an increase in abortions, because there was not any increase in abortion. The big change was a radical, precipitous decline in maternal deaths. So, mark my words, this is about abortion. Women have a right to abortion and they have a right to a variety of safe, legal procedures. Women in Europe have had access to this method for 20 years.

This is not about thalidomide. This is about something that women in Europe have used for 20 years. Our FDA has reviewed it on the basis of science. That is their job. And under that standard, they have found it to be an effective agent. And women have every bit as great a right in America to a pharmaceutical agent as they do to the surgical procedures. Why would men, in America particularly, want to make the decision for women that they have to go, in a sense, under the knife rather than taking a pharmaceutical pill?

So this is, by gum, about a woman's right to choose and the right to abortion in the very earliest months when

even there may not have been any fertilization of the egg. This is not necessarily an abortive phase. It depends on what happened and what did not happen, which they do not know at the time they take it. It is a very big advance. And to deny it and stop it on the floor this way is to indicate that we will approach contraceptive research the same way and that we will narrow rigorously the options available to women to manage their reproductive capability and, with it, their health.

I strongly oppose this amendment. This Congress should not be banning by procedure methods of abortion.

Mrs. LOWEY. Mr. Chairman, I yield myself such time as I may consume to respond to the gentleman from Florida (Mr. WELDON) who I believe has left the floor.

But he referred to this administration and said they have done nothing to make abortion rare. I would invite him and my other colleagues to join us in supporting our contraceptive coverage bill, because that is really the way we reduce the number of abortions. Having the Federal Employee Health Benefit Plan and other private insurance plans cover contraceptives will reduce the number of abortions, and the administration has been strongly supportive of that.

Mr. Chairman, I am delighted to yield 2 minutes to my colleague, the gentlewoman from California (Ms. WOOLSEY).

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

Ms. WOOLSEY. Mr. Chairman, I rise in strong opposition to the Coburn amendment.

In my first term in the House of Representatives in 1993, during the Year of the Woman, with my good sisters and a good number of men, we fought here on the House floor so that the United States could have expanded healthy alternatives to surgical abortions. We supported research development and availability of drugs for medical abortions, like RU-486, in the United States.

Since then, I have witnessed RU-486 being made available in Europe, while here in our country in the United States, here in this Congress, we have had to fight back the far right's constant blows against RU-486 and women's health in general.

I am saddened to say it, but this is the same attack by the conservatives as last year and the year before and the year before that. This amendment seeks to deny women the right to early and safe drugs, such as RU-486, when faced with a crisis pregnancy. Further, because it bans the Federal Drug Administration from approving drugs like RU-486, it represents an unprecedented threat to the FDA's approval process.

Let us make no mistake about it. These repeat attacks are an unwarranted intrusion on a woman's life and a woman's right to good health, and this attack is by the extreme right. Let

us get the far right out of women's health, get politics out of science, and allow the FDA to determine what drugs are safe for women.

Once again, I urge my colleagues, vote against the Coburn amendment, vote for women and women's health.

Mrs. LOWEY. Mr. Chairman, I am pleased to yield 3 minutes to the gentleman from Washington State (Mr. McDERMOTT).

Mr. McDERMOTT. Mr. Chairman, I think, as a physician, I listen to this debate and it is very interesting to watch us practice medicine out here on the floor of the House of Representatives.

It is pretty clear that if the gentleman from Oklahoma (Mr. COBURN) wanted to ban RU-486, that is what he would have put in this amendment. But it is very clear that this is not what the intention is. The intention is to get a law out there that they can then get involved in lawsuits. It is a very well-known political strategy over the last 10 years to start something and get involved in the courts and tie it up forever.

Now, if they have pharmaceutical companies, and the gentleman from Oklahoma (Mr. COBURN) knows this, they screen all kinds of drugs. Right now, I heard thalidomide mentioned here on the floor. And it became a very bad drug because of its effects on newborn babies and causing defects. It is now being used for another illness. And when pharmaceutical companies screen, they do not know exactly what it is going to be used for. And what they are essentially doing here is opening the door for a lawsuit against the pharmaceutical company who comes to the FDA, having spent \$20 or \$40 or \$100 million developing a drug, and if somebody says, this causes abortion, therefore, we have a cause of action against them and we stop it, they are interfering in a process that is presently legal.

A woman has a right to an abortion, and pharmaceutical companies have a right to develop drugs to do that in a very safe way. And for us to get into that position, the logical slope that they are headed down here, has already been mentioned. The next thing will be, when the sperm meets the egg, if that is a baby, then the next thing is going to be we must ban all birth control.

We already have difficulty getting birth control paid for by the Federal Employees Health Benefit Program. And so we know what is in their minds. But beyond that, the next thing will be an amendment out here on maybe the HHS appropriation to prevent any money from being used for medical school training of any school that trains anybody to do abortions. Because if we go back and back and back up the stream, why should we waste money training physicians, obstetricians, in the skill of doing a safe abortion? We should not because they are ending the life of a child, and we get into all this inflammatory rhetoric.

Now, everybody knows that is wrong. And this amendment is just the beginning of it. It is designed to do that and it is designed to hide what it is up to.

Mrs. LOWEY. Mr. Chairman, I am pleased to yield 2½ minutes to my colleague, the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY of New York. Mr. Chairman, I thank the gentlewoman for yielding me the time for her leadership on this issue.

Mr. Chairman, I rise in opposition. This is an antichoice, an antiscience science amendment. It is not just about RU-486. It is about FDA's ability to test, research, and approve any drug based on sound scientific evidence which may have as a side effect a miscarriage. It could slow or stop research on a wide range of life-saving drugs.

Science, not politics, should determine what drugs are approved. This is why the National Coalition for Cancer Research, the American Medical Association, the American Public Health Association, among others, oppose this amendment.

Many drugs, including chemotherapy and antiulcer medication, have the side effects of inducing abortion. This is why pregnant women are advised against taking certain medications.

One of the drugs targeted by this amendment, mifepristone, is not just a drug to make abortion safer. It has also shown to be useful in treating uterine fibrosis, endometriosis, glaucoma, and certain breast cancer tumors.

Another drug targeted by this amendment, methotrexate, has also been used to treat a wide array of conditions including arthritis, lupus, and some forms of cancerous tumors. Blocking research and development of safe and effective drugs in the name of abortion politics is just plain wrong. Never before has Congress told the FDA to approve or disapprove of a particular drug.

This vote is the 108th antichoice vote before this Congress since the new majority came to power. We should not be attempting to appeal or repeal a woman's right to choose procedure by procedure. This is antiscience, antichoice, antiwoman. I urge a "no" vote.

Mr. COBURN. Mr. Chairman, might I inquire of the time remaining?

The CHAIRMAN. The gentleman from Oklahoma (Mr. COBURN) has 23½ minutes remaining. The gentlewoman from New York (Mrs. LOWEY) has 27 minutes remaining.

Mr. COBURN. Mr. Chairman, I yield 2 minutes to the gentleman from South Carolina (Mr. DEMINT).

□ 1545

Mr. DEMINT. Mr. Chairman, I rise in support of this amendment, because I think it is important for this Congress to change the culture of this country by renewing our commitment to the value of life. This is not the time to send a signal to all Americans that abortions of convenience are a way to

solve the problem of promiscuity and recreational sex. It is a hoax on the American people and women, in particular, to suggest that this is a healthy way to handle an unwanted pregnancy. We must not send the signal that it is easy as a pill to end an unwanted pregnancy.

This is one of the most important issues facing our country today, because as we look around at the violence and the apparent disregard for life in every walk of life, we have got to question if this type of ease in ending life is contributing to that. This amendment will do what it needs to do in stopping the approval of a way of life in America, in restoring value to life to all ages in America.

Ms. KAPTUR. Mr. Chairman, I ask unanimous consent to reclaim my time.

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

There was no objection.

Ms. KAPTUR. Mr. Chairman, I yield 3 minutes to the very distinguished gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Chairman, I thank the gentlewoman from Ohio for yielding me this time, because I would like to devote my time to why I think there is confusion about this amendment. The gentleman may be a doctor, but in drawing his amendment it is clear that he is not a lawyer. He says he has drawn an amendment to stop the FDA from approving RU-486. The language he has used instructs us on an amendment to stop the FDA from testing drugs that can treat cancer, high blood pressure, ectopic pregnancy, fibroids, epilepsy. The list is very long. The reason is that although the gentleman mysteriously says that he would accept an amendment to limit the language, he does not propose language of that kind. Why has he brought broad language here?

The reason that his language is defective is that, in the law, it is over-inclusive and overbroad. Therefore, in the words he used, it must have unintended effects. In the law it is called a chilling effect. What that means in this case is that a pharmaceutical company will not come forward with a drug that may cure cancer because that company believes it may be sued because of the over-inclusive language he has used. It ought to stop every Member in this body when they know that every chemotherapy drug can cause a miscarriage. If, in fact, this amendment had been in the law at the time these drugs were being produced, people who are alive today by the hundreds of thousands would be dead.

I ask you, how many people would be dead today if we consider how many drugs are on the market that have unintended effects that none of us could possibly approve, deadly effects? That is why politics and medicine, or politics and science are like oil and water. You get into politicians overreaching

when you insert political judgments into what should be only scientific matters.

Nor is this one of those great ethical issues on the frontiers of science, where ethicists and politicians have some reason to intrude, because abortion is legal, and I regret to say that miscarriages are also legal. We are entitled to ask, where does it begin, where will it end? I believe we must today let it end with legitimate scientific research. If we care anything about the many drugs that will be stopped by this amendment, we must defeat the Coburn amendment.

Ms. KAPTUR. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Washington (Mr. McDERMOTT).

Mr. McDERMOTT. Mr. Chairman, in the earlier debate I did not say something that I think needs to be said out here. We hear all these polls, that the American people do not like abortion and all this stuff. But I would tell you, in the election of 1998 in the State of Washington, the issue of partial-birth abortion was on the ballot, and the people turned it down.

Now, you can tell me all you want about polls but the only poll that really matters is when people actually come out and vote. I believe that the gentlewoman from the District of Columbia (Ms. NORTON) has really put her finger on the whole issue. Because if you open up a cause of action against every pharmaceutical company that brings anything to the market or to the FDA for approval that might cause an abortion, you are going to chill the pharmaceutical industry, which is exactly the reverse of what I see in the appropriations process. We put all this money into the National Institutes of Health because we treasure our health care system, including the pharmaceutical industry. It is a bad amendment.

Ms. KAPTUR. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from New York (Mr. NADLER).

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

Mr. NADLER. Mr. Chairman, I rise today in strong opposition to this amendment. This amendment would ban FDA approval of RU-486 which has been found safe and effective for early, nonsurgical abortion and is awaiting final approval by the FDA. RU-486 would expand access to safe abortion for American women. Its consideration for approval should be dependent on the science, not dictated by antichoice ideologues.

This debate is not about RU-486 or abortion. It is about the FDA's ability to test, research, and approve any drugs for a legal purpose based on sound scientific evidence. Reproductive health drugs should be subject to the FDA's strict science-based requirements that any drug must meet before approval can be granted, but they should not be singled out because they are reproductive health drugs.

The FDA found mifepristone which has been available in Europe widely for nearly 20 years, safe and effective for early medical abortion 3 years ago. The approval was based on extensive clinical trials in this country and in France. They await information on manufacturing and labeling of the drug before final approval can be issued.

This amendment could have dangerous implications for the development of drugs that are used for purposes other than terminating a pregnancy. Many drugs, including those for chemotherapy and antiulcer medication, have the side effect of inducing an abortion. That is why pregnant women are advised that taking such a medication could imperil their pregnancy. New developments in the treatment of these and other conditions, for cancer and for other conditions, would be prohibited under the broad scope of this amendment. New contraceptive development would also be targeted.

Mr. Chairman, the right to abortion services should be safe and legal. The Supreme Court grants this right. What this amendment would do, even at the price of letting people who otherwise would not have to die from cancer, die from cancer because it would prevent the development, the approval of certain chemotherapies, what this would do is to deny the FDA the right to approve a drug simply because it would do what is legal and is a guaranteed right and that, Mr. Chairman, is wrong. That is why the amendment should be rejected.

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

We have heard again the tactic from the other side, it is to misdirect, to dodge. This is not about creating lawsuits. This is not about preventing drug research in other areas. This amendment is written very clearly. I would happily have taken an amendment from the gentleman from California (Mr. WAXMAN) because then I would have felt he would have been obligated to vote for the amendment, and that is why he would not offer it. We understand that.

This is about spending Federal money in a way to figure out how to kill unborn children. That is what this amendment is about. There is no ulterior motive to it. It is saying, is it a principle position of this country to tax working families and then take that money and spend it on science on how to figure out how to kill an unborn baby. That is what this amendment does. They know that is what it does. The only thing that we are hearing is that this will limit cancer research, this will make unintended consequences. That is not true at all. Having been in the drug manufacturing business, having applied for NDAs and INDs, I understand full well how the FDA works. There is an area on the application. You have to specify what you are applying that drug for. If it is for anything other than the inducement of abortion, this law will have no effect.

The other side understands that but they do not have an argument against that, so, therefore, they use an argument that is not based on any intellectual honesty. It is based on a dishonest pass out of bounds. This is about, and I am not ashamed to say, I do not think one dollar of Federal taxpayer money should be used to figure out how to kill an unborn child. I have no embarrassment for that whatsoever. I am proud to make that statement.

If we look at what is going on in our country, we understand where violence comes from. The first act of violence is to violate a baby in its mother's womb. When we decide that that life has no value, then no life has value, regardless of what the Supreme Court said. At 19 days postconception, a baby has a heartbeat. At 41 days postconception, the baby has brain waves. In this country, in every State, in every territory you are alive if you have brain waves and a heartbeat, and you are only dead if you do not. So explain to me why a baby at 5½ weeks postconception is not considered alive when if you are considered the opposite of that, you are considered dead. We are schizophrenic in our law because we cannot have equal justice under the law for the unborn when we want the convenience of doing what we in fact know is wrong.

Mr. Chairman, I yield 2 minutes to the honorable gentleman from Illinois (Mr. HYDE), the chairman of the Committee on the Judiciary.

Mr. HYDE. Mr. Chairman, I want to congratulate the gentleman from Oklahoma (Mr. COBURN) for making a necessary stand for life and against the culture of death. The question is about abortion. It is a shame that in discussing this life-and-death issue, the forces of prolife are demonized as antichoice ideologues.

One good thing that has come from this debate has been the use of the word "abortion." You are getting away, however slowly, from the euphemism of "choice," because, of course, there is no choice for the unborn whatsoever. The question is, should Federal funds be used to pay for learning how to make chemical warfare on a defenseless, unborn child? You relegate that child to nothingness because you do not consider the well-being of the child. You only consider the woman who for one reason or another wants an abortion, and that is a tragedy. But life is precious. And once it has begun, that life ought to be protected.

Now, yes, abortion is legal. More is the pity. What a shame on this country's conscience. But the policy of this government and this Congress has been not to coerce money from working people to pay for the extermination of a human life once it has begun. Those people arguing against the gentleman from Oklahoma are all for abortion. They think that is a good thing. God bless them for thinking so. I think it is a horrible thing. I think it is morally wrong. I do not think people ought to be coerced into supporting it because it

is morally wrong. I hope Members will support the Coburn amendment as I do.

Ms. KAPTUR. Mr. Chairman, I yield 3 minutes to the very distinguished gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Chairman, I thank the distinguished ranking member of the committee for yielding me this time and for her great service on the Subcommittee on Agriculture.

Mr. Chairman, I want to respond to some of the comments made by the distinguished gentleman from Illinois (Mr. HYDE), and distinguished and respected he is. He talked about the chemical warfare that we would be waging on the unborn. But I want to point out to my colleagues that the Hyde amendment allows for termination of a pregnancy in cases of rape, incest and life of the mother. If this is indeed the Hyde amendment and what the gentleman from Illinois believes and those who support the Hyde amendment, then why would they not want to have women have access to safe, early, nonsurgical abortion?

□ 1600

I certainly respect the gentleman's religious beliefs and understand them, as a Catholic, myself, and mother of five, grandmother of four, and that we do not think abortion is a good thing. Abortion is a failure, it is a failure across the board. But to deprive the FDA of the opportunity to engage in research which would provide safe, nonsurgical terminations of pregnancy in case of rape, incest and life of the mother seems entirely contradictory to what the amendment offered by the gentleman from Illinois (Mr. HYDE) is, if he sincerely believes in that, and I do believe he is sincere. It would trample on the FDA's ability to test, research and approve drugs based on sound scientific evidence, and in that respect the amendment offered by the gentleman from Oklahoma (Mr. COBURN) is starting to have this body, this room, this Chamber, look like the Flat Earth Society again, Mr. Chairman.

We have our Flat Earth Society days around here, and this appears to be one of them. RU-486 has been available to women in Europe for nearly 20 years. After extensive clinical trials in this country and France, the FDA has determined that this drug is safe and effective for an early medical abortion such as the kind allowed under the Hyde amendment for rape, incest and the life of the mother.

But this amendment is not about access to one safe and effective drug. The Coburn amendment would have a dangerous chilling effect on the development of drugs that are used for a wide variety of purposes, Mr. Chairman. Drugs used to treat other conditions including cancers and ulcers can induce abortion. The FDA's ability to consider approval of these therapies would be abolished.

And RU-486 also has promise for other potential medical uses including

treatments for breast cancer, HIV and burns. The Coburn amendment forces researchers to turn away from these promising treatment opportunities.

Mr. Chairman, the Coburn amendment puts a social agenda ahead of a woman's needs, ahead of needs of individuals confronting a variety of diseases, ahead of rulemaking authority of the FDA. Once again, this Congress must decide whether to put political agendas ahead of health research.

Mr. Chairman, I urge my colleagues to oppose the Coburn amendment.

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

I wonder if the gentlewoman from California (Ms. PELOSI) might stand and take a question? Might I inquire, and I would be happy to yield her to answer, what part of my amendment would eliminate RU-486 from being used in breast cancer research, burns or any other portion?

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

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

Ms. PELOSI. Mr. Chairman, I say the gentleman's amendment would have a chilling effect on the research. Medical research thrives, we have free and open inquiry.

Mr. COBURN. Reclaiming my time, there is nothing in the amendment that will have such an effect.

Again, we are seeing an attempt at characterizing the amendment in something other than it is. I understand why, because there is not a good factual argument against the Federal Government taking taxpayer dollars to figure out how to kill children. It is another part of the problem that we find ourselves in our society today.

There is nothing in this amendment that will limit in any way what the FDA can do if a drug manufacturer comes and uses, says I want to take 486 and get an indication for it for burns and breast cancer treatment; there is nothing in this amendment that will limit them from it. All they have to do is say that is what we are going to do with it.

And if they want to then let a doctor use it in an unapproved way, that is up to them. But to approve a drug for the very purpose of taking life goes against everything our country is founded on: the pursuit of life. And we are pursuing ways to take life.

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

Ms. KAPTUR. Mr. Chairman, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE), a distinguished Member.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the gentlewoman from Ohio.

Mr. Chairman, I yield to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Chairman, I wonder if the gentleman from Oklahoma is aware that NIH is currently looking at RU-486 as potentially a very effective method of addressing

both breast cancer and brain tumors. They feel that there is a substantial potential with RU-486. That ability to research the capability of RU-486 would be completely terminated under this legislation.

So my colleague's suggestion is inconsistent with the facts.

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

Ms. JACKSON-LEE of Texas. I yield to the gentleman from Oklahoma.

Mr. COBURN. Mr. Chairman, there is nothing in this amendment that will keep a drug manufacturer or the manufacturer of RU-486 from making an application to use that drug in any way they want except the chemical inducement of abortion. That is a fact.

Mr. MORAN of Virginia. The lawyers' opinion is quite different, but I think we will make that point subsequently on the record.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the gentleman from Virginia, and I would like to pick up where the gentleman left off, particularly acknowledge the gentleman from Oklahoma (Mr. COBURN), that none of us rise to the floor of the House to challenge any of the beliefs, and I know the very sincere beliefs held by you and many who oppose the women's right to choose along with my respected colleague on the Committee on the Judiciary.

But if I might share with those who are listening, the language of this amendment, which indicates that none of the funds appropriated or otherwise made available by this act may be used by the Food and Drug Administration for testing, development or approval including approval of production, manufacturing or distribution of any drug for the chemical inducement of abortion. It may sound narrowly focused, but if I may draw the gentleman's attention to the fact that chemotherapy drugs can cause a miscarriage, most of these drugs would not have been developed and future drugs may be jeopardized just by the broadness of the language.

I rise today in opposition to the Coburn Amendment that would limit FDA testing on the drug mifepristone or RU-486. This amendment, as drafted, would limit FDA testing on any drug that might induce miscarriage, including drugs that treat cancer, ulcers and rheumatoid arthritis.

The FDA is charged with determining whether a drug is safe and effective. Mifepristone satisfied that requirement in 1996 based on clinical trials and it is expected to receive final approval soon.

Mifepristone was developed as a drug that induces chemical miscarriage. It has other potential use in treating conditions such as infertility, ectopic pregnancy, endometriosis, uterine fibroids and breast cancer.

For example, chemotherapy drugs can cause miscarriage. Most of these drugs would have not been developed, and future drugs may be jeopardized. Research of potential treatments for each of these conditions is crucial to women's health. Controversy concerning this particular drug should not be a barrier to treatment.

Science should dictate what drugs are approved by the FDA, not politics. Congress has never instructed the FDA to approve or disapprove a drug. The FDA protocol for drug approval depends upon rigorous and objective scientific evaluation of a drug's safety. Ultimately, this is a decision that should be made by the researchers and doctors.

This amendment could jeopardize the integrity of the FDA approval process. Under this process, a company that wants to begin clinical trials on a new drug must submit an application for FDA approval. If that application has not been approved within 30 days, the company may move forward.

This amendment would prevent the FDA from reviewing any application for a drug that might induce miscarriage. No funds would be available for the FDA to even oversee any trials.

Therefore, I urge my Colleagues to oppose this amendment. We cannot afford to inhibit research on certain health conditions based upon the controversy of the particular drug. We also cannot allow the FDA to be limited in its ability to approve drugs based on politics.

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

It is very clear that we have a difference of philosophy and maybe religious beliefs. I happen to think that I am a person who believes in life and that I support the right to life. I also support the right-to-life decision-making being that of the woman, her God and her family, and what we are doing here is to now just intrude into the very infrastructure of government to be able to say that not even our Food and Drug Administration, which has the main responsibility of dealing with the drugs that Americans take to heal themselves, now we are suggesting that even the most benign of drugs that may ultimately cause or induce a miscarriage, we now are prohibiting women, we are prohibiting those who have ulcers, those who have breast cancer, from even getting that fair treatment by the FDA doing that right kind of testing.

This interferes with the 30-day process that the Food and Drug Administration has for any new drug that, if they do not comment on it, the manufacturer can move forward. I think it is tragic when we as a government globally decide to interfere with the private rights of a woman and deny the good testing of a drug that may save lives.

I believe in life. I want to save lives. This amendment should be defeated.

Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. WEINER).

Mr. WEINER. I appreciate the opportunity, Mr. Chairman, to speak on this amendment.

As my colleagues know, I think the amendment offered by the gentleman from Oklahoma is fraught with two fundamental problems. One is a philosophical inconsistency. I have come, in my brief time here, to view Mr. COBURN as a consistent, conservative voice in this Congress, something that he should be proud of perhaps.

Yet by the same token we have an amendment here that is so counter to that philosophy that we here in this Chamber are now going to wade into the operations of doctors and physicians and clinical experts to decide how to interpret the word "for," because that is what this comes down to. How Mr. COBURN interprets the word "for" is very narrowly. It says it is only RU-486.

The American Medical Association, the American College, American College of Obstetricians and Gynecologists, the American Medical Women's Association and others interpret it is that a whole litany of research will now be off the table because that word "for" is ambiguous, and that is the second problem with this bill. It is intellectually ambiguous.

It is difficult to determine when research begins what the outcome might be. It is difficult for scientists sometimes to know when they are doing research on figuring out how to put a shuttle into space, that they might get technology that produces something far different.

The same is true here, that the problem with this amendment is, it is crafted in such a way that the gentleman says it is to simply stop RU-486 except if RU-486 turns out to cure cancer, then it is okay.

Mr. Speaker, that is not a way for us to be operating in this Chamber. This is a very dangerous amendment.

I understand the argument that the gentleman is making about abortion. I disagree with it with every ounce of my strength, but I understand that. The problem is with this amendment is it conceivably opens the door to prohibitions about all kinds of other types of research.

It is simply not the type of business we should be doing here, and it is not the type of business that anyone that considers themselves in this body a conservative and is intellectually honest in that position should be taking.

Ms. KAPTUR. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mrs. LOWEY).

Mrs. LOWEY. Mr. Chairman, as we close this debate, I would like to address some remarks again to my good friend, the gentleman from Oklahoma (Mr. COBURN) because I respect his point of view. We may differ on this issue, but I certainly respect his point of view.

As a mother and grandmother of four-and-a-half, I have to tell my colleague after 10 years of serving in this body I am so tired of debating abortion on the floor of the House, restriction after restriction, ban after ban, amendment after amendment. If we really want to reduce the number of abortions, please work with us to increase funds for family planning. Work with us to ensure that women have access to prescription contraceptives.

I have been working to prevent unintended pregnancies, reduce the numbers of abortions. We need to make

abortions less necessary, not more dangerous, and I am sorry that this amendment is being offered to an otherwise outstanding bill.

The amendment was offered last year. Although it passed the House narrowly, it faced a veto threat from the administration, rejected by the Senate members of the agriculture appropriations conference committee, and strong opposition from medical groups, patient advocacy organizations and the biomedical community. It was wisely stripped out of the final version of the bill signed by the President.

The amendment faces the same widespread opposition today, but I hope that this year my colleagues will send this amendment to the defeat it frankly deserves right here in the House floor.

Mr. Chairman, Congress should not inject politics into the FDA's drug approval process. This amendment ignores sound science, it puts women's health in jeopardy, and it should be defeated.

Ms. KAPTUR. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Chairman, I thank the distinguished ranking member of the Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies.

The prior gentlewoman from New York was so right. We spend an enormous amount of our time in this body trying to restrict women's access to the best and safest reproductive health care. If we can channel this energy into more productive activities, maybe we can find more money for the women and infant care program or even help to prevent more of the unplanned pregnancies that are the cause of this problem. None of us want to support abortion, and hopefully all of us want to create an environment where there will be far fewer abortions.

But what we are talking about today is really the political practice of medicine, and this amendment should be opposed. The drug mifepristone known as RU-486 has been proven a safe and effective method through clinical trials.

We now know that there are researchers at the National Institutes for Health that believe that RU-486 could be a very effective drug in treating breast cancer, in treating brain tumors, and yet this amendment would preclude that kind of research from being conducted because as part of the FDA approval process, drug trials can proceed only if the FDA does not disapprove of a trial. If the FDA is prohibited from reviewing applications under the Coburn amendment, research may be conducted without the safety of review and oversight of the FDA. So women would be asked to participate in trials with no review of the safety of the protocol.

So that is not going to happen, and as a result, we may be precluding very important advances in medicine. But

we also are told by the lawyers that there is, and I accept the fact it is unintentional, but it is a very important side effect because there are many drugs whose principal purpose may not be abortion, but in fact, are effective in chemotherapy, cancer treatments, hypertension, cirrhosis, rheumatoid arthritis, ectopic pregnancies, ulcers, epilepsy, severe viral infections, all kinds of drugs that may have a corollary effect of inducing abortion.

Those drugs are important. We should be supporting them. We should not be engaged in the political practice of medicine. I urge rejection of this amendment.

□ 1615

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

Mr. Chairman, I would say to my friend from Ohio and the gentleman from Virginia and the gentlewoman from New York this is not a fun debate for me either. I am not happy that we are here doing this. But, you know, if one child is not aborted because we have this debate, I am willing to do it all night long, 365 days a year. That is how much I value life.

Now, I want to discuss for a minute, you say we should not be politicizing the FDA with this action. Well, I want to tell you, the FDA is already politicized. How many drugs do you know of that have been approved of basically on research done overseas? There is zero, except one. Guess what drug that is? Guess what drug that is? That is RU-486.

The vast majority of the studies on RU-486 were not conducted in this country; they were conducted overseas. That totally is a whole new precedent for the FDA. They have never before done that on any new drug approval.

The second thing I would say is this amendment will have no effect whatsoever on any other utilization of any other drug. Cytotec, which is the second drug used with RU-486, is used to protect the lining of the stomach. It is a prostaglandin inhibitor. We use prostaglandins today. We are actually starting to use Cytotec, a very strong component of this, to induce labor. I did it about a week ago, first time.

So we did not learn that from it being studied on the basis of it being an abortifacient or a drug to induce abortion. We learned that because that drug was developed to protect the lining of the stomach for people who have ulcers, consequently learning that you do not dare take that drug if you are pregnant.

Well, if it works in terms of causing uterine contractions, what about using it to induce labor? Maybe it is safer than pitocin or other prostaglandins. So there is no limitation that is going to come about from this amendment.

Five percent of the women who take this drug get a uterine infection, which, when you have a uterine infection, number one, it will affect your ability to conceive in the future. One

hundred percent of the women lose more blood with a chemically induced abortion than they would either through a spontaneous or a surgical abortion. It may not be important to you, but if it is you losing the blood, it becomes very important.

Number three, more than one-third of them end up delivering the conceptus outside of the clinic. In France, they have very selected rules on how you can use this drug. None of those are protected and planned in this country.

So is the issue all of the things that we have heard: Not being able to use research? Not being able to get cancer drugs? No, it is not. The issue is nobody from the opposing viewpoint, either from the Republican or Democrat side of the aisle, answered the question, should Federal money be used to help find ways to kill babies? Nobody wants to answer that question. That is because there is not a good answer. Nobody agrees with it. So, therefore, we see arguments that are something other than that. We distort what the argument is because there is not a good argument.

We will not limit in any way the ability of the FDA to do any research. What we will say is, is if your number one goal is to figure out how to kill an unborn baby, number one, first of all, this does not work in 2 days or 3 days or 5 days or 6 days postconception. I am sorry if that is what people think. This works 4 and 5 and 6 and 7 and 8 weeks after. It is not a morning-after drug. That is now how it is going to be used.

What this is going to do is say if you are intending to bring a drug to the market, then the FDA should not spend the first Federal taxpayer's money to figure out how to kill a baby. All right, if that is a consequence of it, of some other intended purpose, maybe that is okay. Because these drugs, Cytotec is going to be used for that. You do not have to have approval of the FDA to use drugs in ways other than how they are indicated. We all know that.

So Cytotec is already being used to induce abortions. The point is should we spend the money, your children's, your grandchildren's, our community's money, to figure out how to take a life? My answer is no. I ask you, should we really do that? I do not believe most people think we should.

That does not say that abortion still is not legal. It is. The question comes, when you have done, as I have, and sat there at the bottom of a table when a woman delivers a 10-week fetus or a 12-week fetus, and hold it in your hand, and she is distraught and crying because that baby was created by her and her partner, and is totally unique to anything else that has ever been created or ever will be created. It has a totally unique genetic structure, it is a God-ordained being, and we are going to say it is okay, we are going to figure out ways to kill those God-ordained beings, and we are going to say for con-

venience sake, because we made a mistake, because somebody erred, because somebody failed to protect themselves, that it is okay to destroy that life, I reject it. I do not dislike anybody who disagrees with me on that, but I reject that as an argument of the heart and of the soul.

If we are going to decide in this country that you are dead when you do not have heartbeat and brain waves, but you are alive in all 50 States and territories when you do, how can we reject the argument that at 41 days every fetus, every unborn child, has a heartbeat and a brain wave? Now, you cannot deny that scientific fact. That is absolutely proven. So the response to that question is "we will talk about something different."

It is a hard issue, I understand. I wish we did not have unintended pregnancy. The gentlewoman from New York (Mrs. LOWEY) and I have the same goal on that. We believe in getting there a different way. I am not supporting some of her contraceptive research, because I am seeing what is happening with contraceptives and sexually transmitted disease and cancer of the cervix, which is at an all-time high in this country, under the false assumption you are safe, when a condom offers no protection from human papilloma virus whatsoever, yet we tell all our kids they are safe.

Well, I am tired of all the deceit around the arguments. There is good science. I am a scientist by training. I have read the studies. I have looked at it. This amendment is designed for one thing only.

The gentleman from Washington State gave me more credit. I have never thought out about to figure out how to be devious enough to set up lawsuits. My purpose was to say no taxpayer money from Oklahoma or anywhere else ought to be used in figuring out how to kill children.

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

Ms. KAPTUR. Mr. Chairman, I yield myself such time as I may consume to close at this point.

Mr. Chairman, I rise in opposition to the gentleman's amendment for many of the reasons that were stated earlier. The first one is that I do not think that this Congress should be prejudging medical science. We have talked this afternoon about how scientific discoveries and how science proceeds, often with unintended consequences. We have talked about how many of the drugs currently being used to treat mental illness in this country were discovered by accident.

They were not discovered in this country, they were discovered in France. They were discovered during operating room procedures when patients were trying to be put at ease and the process of pain remediated during operations, and, all of a sudden, for some reason, certain drugs worked. Eventually they came to this country, and even today we do not understand

why they work to help patients with serious mental illness. But for some in our population, they have been able to be given great relief and help through those drugs.

The same was talked about with x-rays. When the scientists invented x-rays, it was an accident. They really went in there with one objective, and, all of a sudden, they made a mistake and it turned out to be an x-ray, and sometimes science is not quite as scientific as it seems. I think that this particular Chamber should not be judging what is science and what is not science.

For the amendment of the gentleman from Oklahoma (Mr. COBURN), which I would really encourage the Members to read if they are going to be voting on this, because I do not think his amendment says what he purports to do in his oral remarks here, but this amendment would absolutely set a dangerous precedent.

This Congress has never legislated the approval or disapproval of any drugs. That is the job of the Food and Drug Administration. We pay for scientists. We, as taxpayers, pay to make sure that what reaches our shelves is safe; but we do not prejudge what is medically relevant.

We also know that many drugs are tested at the end of use for treatment of more than one illness, disease, or condition. We do not really control that. So I would say that on the basis of science alone this amendment should be rejected.

I think that the committee also on which we serve, and we are a very responsible committee, we are the first one on this floor, we are trying to clear this bill under regular order, and I do believe that the gentleman from Oklahoma (Mr. COBURN) has been given sufficient time, actually a lot of time over the last several weeks, to express his points of view, which have been very well articulated.

But the truth is, our subcommittee never had any hearings on this particular matter. The reason is we are the Committee on Appropriations. We do not try to tell FDA what to do. We expect the authorizing committees will deal with that.

If my experience proves me right, my guess would be that if there are concerns about something that is inappropriate, that is best taken to the authorizing committees.

This amendment is not going to be in the Senate bill, and it is not going to become a part of the final legislation.

So I would say based on science, based on safe procedures, that this is something the FDA should be implementing, and also based on regular order, the gentleman's amendment should be defeated. I would urge my colleagues to do so.

Mr. STARK. Mr. Chairman, I rise in strong opposition to the Coburn amendment to the Agriculture Appropriations bill that would ban the Federal Drug Administration from using funds to test, develop, or approve Mifepristone

(RU-486)—a drug which has been found to be safe and effective for early, non-surgical abortion.

This is yet another political vote and political debate on a drug whose benefits have been scientifically proven. This amendment is an unwarranted intrusion into the work of the FDA, whose job is to decide whether to approve RU-486 or other drugs based on health and safety—not abortion politics.

Medical abortions and RU-486, if approved, would allow more choices to women seeking abortion. Medical abortions are a better health option for some women. Medical abortions allow women to avoid surgery as well as protect their privacy—women can receive RU-486 in pill form in a regular doctor's office, and be spared the trauma of protesters and violence that continue to stigmatize these women for exercising their constitutionally protected right to choose.

Approval of RU-486 is critical so that doctors may use this procedure when they believe it is the safest way to end a pregnancy and leave the woman with the best chance to have a healthy baby in the future.

New contraceptive development would also be targeted. Many anti-choice groups believe that some contraceptive methods cause an abortion. This is untrue. If that contention were accepted as fact, research and development of man new contraceptives would come to a halt. This amendment would deprive women of the benefits of significant contraceptive advances.

Make no mistake, a vote for this amendment endangers the health of women, and adds to the long list of barriers set by the majority in Congress that make reproductive health services more dangerous and difficult to obtain. I strongly oppose the Coburn amendment.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma (Mr. COBURN).

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 217, noes 214, not voting 4, as follows:

[Roll No. 173]

AYES—217

| | | |
|--------------|-----------|-------------|
| Aderholt | Bryant | Cunningham |
| Archer | Burr | Deal |
| Armey | Burton | DeLay |
| Bachus | Buyer | DeMint |
| Baker | Callahan | Diaz-Balart |
| Ballenger | Calvert | Dickey |
| Barcia | Camp | Doolittle |
| Barr | Canady | Doyle |
| Barrett (NE) | Cannon | Dreier |
| Bartlett | Chabot | Duncan |
| Barton | Chambless | Dunn |
| Bateman | Coble | Ehlers |
| Bereuter | Coburn | Emerson |
| Berry | Collins | English |
| Bilirakis | Combest | Everett |
| Bliley | Cook | Ewing |
| Blunt | Cooksey | Fletcher |
| Boehner | Costello | Forbes |
| Bonilla | Cox | Fossella |
| Bono | Crane | Gallely |
| Borski | Crowley | Gekas |
| Brady (TX) | Cubin | Gillmor |

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|---------------|---------------|---------------|
| Goode | Manzullo | Saxton |
| Goodlatte | Mascara | Scarborough |
| Goodling | McCrery | Schaffer |
| Goss | McHugh | Sensenbrenner |
| Graham | McInnis | Sessions |
| Green (WI) | McIntosh | Shadegg |
| Gutknecht | McIntyre | Shaw |
| Hall (OH) | McKeon | Sherwood |
| Hall (TX) | McNulty | Shimkus |
| Hansen | Metcalf | Shows |
| Hastert | Mica | Shuster |
| Hastings (WA) | Miller, Gary | Simpson |
| Hayes | Mollohan | Skeen |
| Hayworth | Moran (KS) | Skelton |
| Hefley | Murtha | Smith (MI) |
| Herger | Myrick | Smith (NJ) |
| Hill (MT) | Nethercutt | Smith (TX) |
| Hilleary | Ney | Souder |
| Hobson | Northup | Spence |
| Hoekstra | Norwood | Stearns |
| Holden | Nussle | Stenholm |
| Hostettler | Oberstar | Stump |
| Hulshof | Ortiz | Stupak |
| Hunter | Oxley | Sununu |
| Hutchinson | Packard | Talent |
| Hyde | Paul | Tancredo |
| Istook | Pease | Tauzin |
| Jenkins | Peterson (MN) | Taylor (MS) |
| John | Peterson (PA) | Taylor (NC) |
| Johnson, Sam | Petri | Terry |
| Jones (NC) | Phelps | Thornberry |
| Kanjorski | Pickering | Thune |
| Kasich | Pitts | Tiahrt |
| Kildee | Pombo | Trafficant |
| King (NY) | Portman | Vitter |
| Kingston | Quinn | Walden |
| Klink | Radanovich | Walsh |
| Knollenberg | Rahall | Wamp |
| Kucinich | Regula | Watkins |
| LaFalce | Reynolds | Watts (OK) |
| LaHood | Riley | Weldon (FL) |
| Largent | Roemer | Weldon (PA) |
| Latham | Rogan | Weller |
| LaTourette | Rogers | Weygand |
| Lewis (CA) | Rohrabacher | Whitfield |
| Lewis (KY) | Ros-Lehtinen | Wicker |
| Linder | Royce | Wolf |
| Lipinski | Ryan (WI) | Young (AK) |
| LoBiondo | Ryun (KS) | Young (FL) |
| Lucas (KY) | Salmon | |
| Lucas (OK) | Sanford | |

NOES—214

| | | |
|--------------|---------------|----------------|
| Abercrombie | DeGette | Houghton |
| Ackerman | Delahunt | Hoyer |
| Allen | DeLauro | Inslee |
| Andrews | Deutsch | Isakson |
| Baird | Dicks | Jackson (IL) |
| Baldacci | Dingell | Jackson-Lee |
| Baldwin | Dixon | (TX) |
| Barrett (WI) | Doggett | Jefferson |
| Bass | Dooley | Johnson (CT) |
| Becerra | Edwards | Johnson, E. B. |
| Bentsen | Ehrlich | Jones (OH) |
| Berkley | Engel | Kaptur |
| Berman | Eshoo | Kelly |
| Biggert | Etheridge | Kennedy |
| Bilbray | Evans | Kilpatrick |
| Bishop | Farr | Kind (WI) |
| Blagojevich | Fattah | Klecza |
| Blumenauer | Filner | Kolbe |
| Boehlert | Foley | Kuykendall |
| Bonior | Ford | Lampson |
| Boswell | Fowler | Lantos |
| Boucher | Frank (MA) | Larson |
| Boyd | Franks (NJ) | Lazio |
| Brady (PA) | Frelinghuysen | Leach |
| Brown (FL) | Frost | Lee |
| Brown (OH) | Ganske | Levin |
| Campbell | Gejdenson | Lewis (GA) |
| Capps | Gephardt | Lofgren |
| Capuano | Gibbons | Lowe |
| Cardin | Gilchrest | Luther |
| Carson | Gilman | Maloney (CT) |
| Castle | Gonzalez | Maloney (NY) |
| Clay | Gordon | Markey |
| Clayton | Granger | Martinez |
| Clement | Green (TX) | Matsui |
| Clyburn | Greenwood | McCarthy (MO) |
| Condit | Gutierrez | McCarthy (NY) |
| Conyers | Hastings (FL) | McDermott |
| Coyne | Hill (IN) | McGovern |
| Cramer | Hilliard | McKinney |
| Cummings | Hinchey | Meehan |
| Danner | Hinojosa | Meek (FL) |
| Davis (FL) | Hoefel | Meeks (NY) |
| Davis (IL) | Holt | Menendez |
| Davis (VA) | Hooley | Millender |
| DeFazio | Horn | McDonald |

| | | |
|----------------|---------------|---------------|
| Miller (FL) | Rangel | Sweeney |
| Miller, George | Reyes | Tanner |
| Minge | Rivers | Tauscher |
| Mink | Rodriguez | Thomas |
| Moakley | Rothman | Thompson (CA) |
| Moore | Roukema | Thompson (MS) |
| Moran (VA) | Roybal-Allard | Thurman |
| Morella | Rush | Tierney |
| Nadler | Sabo | Toomey |
| Napolitano | Sanchez | Towns |
| Neal | Sanders | Turner |
| Obey | Sandlin | Udall (CO) |
| Olver | Sawyer | Udall (NM) |
| Ose | Schakowsky | Upton |
| Owens | Scott | Velazquez |
| Pallone | Serrano | Vento |
| Pascarell | Shays | Visclosky |
| Pastor | Sherman | Watt (NC) |
| Payne | Sisisky | Waxman |
| Pelosi | Slaughter | Weiner |
| Pickett | Smith (WA) | Wexler |
| Pomeroy | Snyder | Wilson |
| Porter | Spratt | Wise |
| Price (NC) | Stabenow | Woolsey |
| Pryce (OH) | Stark | Wu |
| Ramstad | Strickland | Wynn |

NOT VOTING—

| | |
|------------|----------|
| Brown (CA) | McCollum |
| Chenoweth | Waters |

□ 1646

Mr. REYES changed his vote from "aye" to "no."

Messrs. DREIER, TAYLOR of North Carolina, OXLEY and BATEMAN changed their vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 17 OFFERED BY MR. CHABOT

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 17 offered by Mr. CHABOT:
Insert before the short title the following new section:

SEC. . (A) LIMITATION.—None of the funds appropriated or otherwise made available by this Act may be used to award any new allocations under the market access program or to pay the salaries of personnel to award such allocations.

Mr. CHABOT. Mr. Chairman, the rationale behind this amendment is simple. Hard-working taxpayers should not have to subsidize the advertising costs of America's private corporations, yet this is exactly what the Market Access Program does.

Since 1986, the Federal Government has extracted well over \$1 billion from the pockets of American taxpayers and handed it to multimillion dollar corporations to subsidize their marketing programs in foreign countries. In other words, the U.S. taxpayer is helping successful private companies and trade associations advertise their wares in foreign countries.

Mr. Chairman, I think the American people would agree that their money could be better spent on deficit reduction for education. Rather than subsidize private businesses and corporations, that money could much better be spent on deficit reduction or on education or on saving Social Security, on the environment, or on tax cuts.

In the past, we have witnessed MAP supporters present some good-sounding arguments for preserving what is in my

view a corporate welfare scheme. The only problem is that when we cut through the pro-MAP propaganda, there is no credible evidence to back up their claims.

Let me give my colleagues an example. MAP supporters have argued that this so-called business government partnership creates jobs. But I think, Mr. Chairman, that the American people know that the only jobs usually created by big government spending programs are for big government bureaucracies.

This view of the MAP program is backed by the General Accounting Office. GAO studies indicated that this program has no discernible effect on U.S. agricultural exports. So if the program cannot increase U.S. exports, how can it possibly create more private-sector jobs?

For years, supporters of MAP have lauded the economic benefits created by the program. However, in April 1999, a GAO report, requested by myself and Senator SCHUMER and a bipartisan group of House Members, concluded that the economic benefits of this program are uncertain at best.

According to that report, it seems that the Foreign Agricultural Service, the bureaucracy which administers this corporate welfare program, has used certain assumptions that the OMB has determined to be inadequate for economic benefit analysis. For example, the Foreign Agricultural Service assumes that there are no opportunity costs for promoting one product over another.

But even if my colleagues do believe these supposed benefits, they have all the more reason to support this amendment. These numbers, if accurate, prove that, given these positive returns on an investment overseas, MAP-supported corporations and trade associations ought to be spending their own money and not the money of the taxpayers of this Nation.

My opposition to MAP is not based solely on the false premises of its supporters. I am offering this amendment today because we simply do not need this wasteful program. Let us be honest. Most American businesses do not benefit and do not try to take advantage of government handouts like this MAP program.

In the case of MAP, as in most corporate welfare programs, beneficiaries consist primarily of politically well-connected corporations and trade associations. Most, if not all of these organizations, would advertise their products overseas, even without MAP funds. They probably would work much harder to ensure that the money is well spent.

Let me give just one example of the kind of waste and mismanagement that this program breeds. We all remember a few years ago when the California Raisin Board sponsored the "I heard it through the grapevine" raisin commercial. Based on the success of that commercial in the U.S., MAP decided that

it would be a good idea to use that commercial to attempt to boost raisin sales in Japan and put \$3 million into the project.

Not surprisingly, however, the ads played in English, leaving many Japanese confused, unaware that the dancing characters were raisins. Most thought they were potatoes or chocolate. In addition, many Japanese children were afraid of the wrinkled, misshapen figures. This, of course, is the kind of wasteful spending that inevitably occurs when we give someone the ability to spend other people's money.

Mr. Chairman, Congress should end the practice of wasting tax dollars on special interest spending programs that unfairly take money from hard-working families to help profitable private companies pad their bottom line. MAP is a massive corporate welfare program that we should eliminate today.

Finally, in MAP, MAP's proponents have argued that due to recent reforms, big corporations no longer receive MAP funds. It is true that in June 1998, in order to correct some of the more egregious abuses of the MAP, Market Access Program, the Foreign Agricultural Service revised its regulations to limit a company to 5 years of assistance in a particular country. After this 5-year period had expired, companies were to be graduated from the country's market. Translation: These billion-dollar corporations were no longer to receive tax dollars to fund their product promotions.

So I would strongly urge my colleagues to vote to get rid of this very wasteful program.

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

Mr. Chairman, this is an annual debate, and I am not sure why we have to have it. Virtually all of our competitor nations spend money to promote their products against ours. We have had testimony from both USDA and many private-sector companies about the success of the program, particularly for small enterprises.

Mr. Chairman, I oppose the amendment and ask my colleagues to do the same.

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

□ 1700

Mr. Chairman, I rise in opposition to the gentleman's amendment and am somewhat surprised that a Member from Ohio, where agriculture is our leading industry, would offer this particular amendment. If one reads the changes that have been made in this program, particularly targeting its benefits at small- and medium-sized operations, I think some of what the gentleman has said might have been true many years ago, but they are certainly not true today.

If one looks at what is happening in rural America, which is swimming in surpluses, and we know that for this

country to help rural America make it we must expand our exports in spite of collapses in the Asian economy and other places, there is one program we do not want to cut at all and it is this program.

I think what is really hard sometimes for Members who represent only urban or suburban areas, where production does not occur, where people largely reside but perhaps where agricultural development does not happen on an everyday basis, it is hard to understand how a farmer, who may raise beans or may raise animals and who wish to export a product, many times those same farmers cannot even sell in Cincinnati. A farmer over in Butler County, the only way they can get product into the City of Cincinnati is to perhaps sell at their farmers' market. They cannot even get their products on the shelves of the stores in Cincinnati. Imagine how difficult it is for that same farmer to move product into Japan or any other part of Asia or Latin America or Europe.

This market access program is the only mechanism we have to help growers move product abroad. This is not Procter & Gamble. This is not where we can take production and move it anywhere in the world and then distribute the product. This is not U.S. Shoe, where all of their products are made abroad and then imported into Cincinnati and distributed to the rest of the United States. This is trying to help our producers in this country to be able to lift product off our market and take it somewhere else.

And, Mr. Chairman, I underline "producers." This is really a very, very important program. And if my colleagues know the trade accounts of this Nation, where every year we are going into more and more serious trade deficit, every single year more imports coming in here than exports going out, the one rosy light in a very bleak set of tables is agriculture. And the light is not getting brighter; it is getting dimmer as the years go on, but it is still lit up. And the reason is because we have been able to move product elsewhere around the world.

So I would just say to the gentleman, in a State where our leading industry is agriculture, in a Nation where the agricultural accounts represent the only positive side of the trade ledger, this is exactly the program we do not want to cut. And we do not want to cut it particularly at a time when rural America is in deep depressions. This is a time to help our people, not to penalize them, and especially to meet the subsidized kind of programs that our trade competitors have on the books all across the world.

Stand up for American agriculture when she is calling us and asking us to hear her voice.

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

Mr. Chairman, I reluctantly rise to oppose this amendment by my colleague. While I am sure it is well in-

tended, it is like some of the other amendments we often get but, fortunately, this year have not gotten on this bill dealing with important crops like peanuts, sugar, and tobacco. But let me speak to the MAP, the Market Access Program.

The United States is outspent more than 20 to 1 by our foreign competitors spending money on export promotion and export subsidies. In 1997, the leading U.S. competitors spent \$924 million to promote agricultural exports, much of it in this country, and the United States spends \$90 million. Ninety million dollars spent by the United States compared to \$924 million by our competitors.

There is no limit placed on the amount that can be spent by exporting countries for agricultural promotion. The WTO does not limit that. And right now, while the U.S. has diminished the amount they have spent, other countries in the world are expanding the amount that they are spending to promote their products in this country and other places in the world.

Foreign spending in the U.S. on promoting our competitors' agriculture is growing. A hundred million was spent in 1997 for that purpose. That much more. The biggest spenders are New Zealand, Italy, Spain, Australia and Canada.

The U.S. exports have gone down over the past 3 years. This is not the time when we should be cutting the funds necessary to promote our exports. SUDA estimates that agricultural exports will be only \$49 billion this year. Just 3 years ago they were \$60 billion. We have serious problems in American agriculture. The way to address them is not to cut the promotional funds needed to make us competitive around the world, and I reluctantly would rise and ask my colleagues to oppose this amendment.

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

Mr. Chairman, my colleagues should wake up and smell the coffee. That Juan Valdez, who is in all our homes, on our television sets, telling us about the virtues of Colombian coffee, and we see him in those advertisements in every grocery store promoting that coffee, where do my colleagues think that money comes from? It comes from the Colombian Coffee Growers Association. And why are they doing it? They are paying to promote their product. Not a brand name but a generic name.

Well, what is wrong with us doing the same thing? How are we going to sell agriculture around the world? We produce in agriculture, which is essentially if we really look at this, a lot of small farmers getting together and promoting a product. They have to, under this program, come up with 50 percent of the money. The Federal Government comes in only after they have initiated it and they do a match.

Remember Riuniti Wine that was advertising all over America a few years

ago? Where do my colleagues think the advertising for that came from? Marketing promotion from Italy to get Americans to drink Italian wine.

Now, we export \$60 billion worth of food around the world. Why do my colleagues think people buy our food? Because we help promote it, just like anyone would sell anything else. Well, this is the program that helps promote it. Only this program does not allow, as the author of the amendment indicated, big corporate agriculture to benefit. This program ties it to small- and medium-sized companies. He says this is big corporate welfare. Well, there is no big corporate welfare in the Seed Trade Association, in the Asparagus Association, in the Kiwi Commission, in the Prune Board, in the North American Blueberry Council, in the Catfish Institute, in the Apple Association. That is not big corporate welfare. Last time I checked, these products were being grown by small farmers, and they are trying to get their products sold.

Now, why is it good for America? Because the one area where our balance of trade is strong is in agriculture. We export \$60 billion and we import \$30 billion. We cannot say that about any other industry in America. We are actually selling more than we are taking in. That is what it is all about. Well, this is the program that helps do it. Why would we want to undermine that program?

A lot of the data being quoted is old data. In the last few years we amended this program and we said participants had to come up with a match, they had to be for small businesses, they cannot be those big conglomerates, and so we have limited the amount of funding that can be given to anybody. This helps sell American agriculture. It is the only way we are going to be able to sell it. Support this program. It is not big corporate welfare, it is small American farmers being able to sell their product abroad. I ask for a "no" vote on the amendment.

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

I have great respect for the sponsor of this amendment, but not so much respect that I want to vote for it. In fact, I am going to oppose it, simply because what my friend from California just stated is absolutely true.

What happens in this Market Access Program is this. Growers and consortiums, Sunkist for orange juice, Tree-Top for apple juice, which is very prominent out my way in the State of Washington, get together and they decide how they can best promote their products overseas. They pay half the freight. The taxpayer pays half and the sponsor, the marketer, pays the other half. And that is what is fair about this program.

It has been cut down dramatically since I have been in this House. I have seen Members on both sides of the aisle have some concern about this; people, by the way, who do not care much

about agriculture and do not understand exports, but they have managed to whittle down this particular expenditure in the agriculture appropriations bill such that it is down to virtually very little when it can do so much. It can do so much.

What I think the sponsor does not appreciate, and maybe others who might support this do not appreciate, is that when we submit this amount of money, the small amount of money relative to the rest of the agriculture budget for market promotion, for promotion of our products overseas, that has direct impact on the farmer. It has direct impact on rural America.

And talking about big corporate welfare, that is not the case in this particular program. This helps the grower, the farmer, the person who works the land and presents a product that can be exported overseas and dramatically helps our balance of trade.

As the gentleman from California (Mr. FARR) said, agriculture is a huge benefactor to the balance of trade. It helps our country by exporting products. So, number one, it is a small amount relative to what it used to be and what it is in the agriculture budget; number two, it helps the small farmer, it helps the grower; number three, it helps the American economy, especially the rural economy, because we are essentially buying shelf space and competing with European and other products around the world; and, finally, the governments of these other countries are subsidizing tremendous amounts of money to their growers and their producers to sell products in our country.

So this is a small way, a fair shared way that our products can get on the shelf in Europe, and our growers, our producers, our farmers, our market system, the export market system can work in our country.

So, again, I have great respect for the gentleman from Ohio (Mr. CHABOT). He is a good Member and has good ideas, but this one is one that should be defeated. I hope my colleagues will vote "no" on this amendment.

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

We have had some good discussion here already, and I am not going to try to repeat it over and over, but I appreciate the things that have been said. I might just give my colleagues a little lesson in history that some Members might not be aware of about the American farmer. We are in a crisis in agriculture, no question about it. I live out there, as many of my colleagues do. I just spent a week in my district, and it is tough and it is real.

A few years ago, when we had the Ag crisis of the 1980s, it was interesting to me, and that is what motivated me to get involved in this arena, the political arena, we had people going to their lenders and different organizations, and I will not get into that, and they told our farmers to go back and sell

their cow herds or sell their sows, or do this or that. In other words, dispose of their factory, in a sense. We do not want to do that again. We have to get out there and be competitive in the export market.

In my State we have to export about 40 percent to make things work. That is kind of a reflection of the country. We have to do about the same thing to make things work. As we have heard many of our colleagues say already, agriculture puts a plus on the trade deficit in our favor, so we cannot let this happen. It is not a time to let up and say we are not going to go out there and be competitive.

In our Committee on Agriculture here a number of weeks ago, we had the Secretary come and talk to us and mention the unprecedented 3 years in a row that there has been overproduction. And so when our people go to sell to someone else, they say, excuse me, we have something we want to sell. And so this is a time when we want to cut back on the promotion. We cannot do that.

So I encourage a "no" vote and hope that we can do that; that we can give a leg up for the American farmer and agriculture production. It is important to all of us. I do not care where we live, what part of the country, what we do, it is important to all of us and let us not forget that.

□ 1715

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

Mr. Chairman, since the Great Depression, American farmers were shackled by the Federal Government with programs and regulations that kept them from producing all they could. We all remember how many farmers were paid not to grow certain crops; they were paid subsidies to grow others.

Over the last few years, our colleagues on the agriculture and agricultural appropriation committees have done an excellent job in reducing harmful government interference in American agriculture and putting it on the road back to the market system that works so well. American farmers are now unshackled and free to produce as they see fit, not as Washington tells them.

However, more work remains to be done. The market access program is a relic of our former government-heavy agricultural system. The MAP program, the Market Access Program, provides millions of dollars in taxpayer subsidies per year to agribusinesses to supplement their international advertising and marketing.

We have heard that agriculture is one of the most important businesses in America, and we have also heard that advertising American agriculture overseas is critical. And I agree with these points. They are certainly true.

The question is not whether agriculture and American farmers are important. Without question, they are

very important to this economy. And we all know that advertising is an essential part of doing business. The question is whether MAP is a proper use of taxpayer money. And it is not.

The cost of advertising should be borne by the firms which stand to benefit, not the taxpayers.

Let me also say that I do not believe that working men and women should continue to foot the bill for advertising subsidies to multinational corporations. Promotional advertising for product is simply not the role of government. It is the role of those private concerns that benefit from the sale of those products.

The future and continued performance of American agriculture is not contingent upon handing out taxpayer money for advertising. The success of American agriculture results from the energy and ingenuity of American farmers, not government subsidies.

Let me also say that as far as the GAO report, the GAO report found that there is no clear relationship between the amount spent on government export promotion and changes in the level of U.S. exports.

In a separate report, the GAO questioned whether funds are actually supporting additional promotional activities or if they are simply replacing private industry funds. What is obvious on its face is that money handed out by government bureaucrats does not magically become several dollars.

And let me say that another argument that is often made is that we are being outsubsidized by the European Union and other countries throughout the world. I might point out that our economy is outperforming those countries by every measure.

Our gross national product dwarfs most every other country in the world. We have the most productive workers. Our per capita income is highest. Unemployment is almost nonexistent.

I, for one, do not wish to follow the European model of subsidies. I do not think that many of my colleagues do either. We should continue striving to shed these vestiges of central planning instead of defending those that have crept into our economy in the past.

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

I make no argument that advertising sells products. This is obvious. The point, however, is whether private conditions should pay for the promotion of their own product or whether the American taxpayer should be forced to do so. We do not force the American taxpayer to pay for other corporate expenses like office supplies. American taxpayers should not pay for this cost of doing business.

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

Mr. Chairman, I think that, obviously, as we look at this program, the question is, is this a program that is of value to the American people? Is it a program of value to the American farmers? And should we be investing in promoting the American farmers' product abroad?

I think there is value in investing in the promotion of the American farmers, because not only is that a public policy that we support our farmers. True enough, in 1996, we had a farm bill that said we were removing ourselves from the subsidy model and we are going more to a market model. I personally did not support that. But nevertheless, even in a market-driven model, not to have this tool is counterproductive.

This tool simply says that it is a tool to market our farmers who were heretofore dependent and subsidized. Our farmers are having a very difficult time. If we are not going to make the market available as a tool to them, as we pull away the safety net, how do we expect our farmers in rural areas to survive? How is it that they are going to be on a competitive basis with other countries subsidizing large quantities if we expect they have no safety net, and yet we are not going to give them the tools to survive?

We are struggling in rural America. I cannot think of a commodity that made money in my State. And without this tool, they certainly would not have it. And the claim that this only goes to large corporations, indeed, that has been in the past, but this program has been improved. Indeed, it goes now to small farmers, to associations.

What kind of commodities does it support? It supports dry beans, eggs, frozen potatoes, grapes, peanuts. My colleagues would expect me to say peanuts because I am from North Carolina. But also pears. All of these small farmers' products, associations getting together, having their government to recognize the importance of their coming together and promoting their goods.

We travel abroad and we find that other countries are subsidizing the marketing of their products. We make our farmers less competitive when we remove this tool.

So I urge my colleagues to vote against this amendment, as well-meaning as it might be. This is counterproductive to the needs of the farmers in the rural areas.

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

Mr. Chairman, I would just like to make a few points. The idea that this money goes to large corporations is simply bogus. This money is matched by money which is raised from producers, such as pork producers, who are hurting so badly today. The cattlemen, the corn growers, the soybean growers

put their own money with this. This is not to enhance a particular brand name. It is to sell U.S., high-quality pork, corn products, feed products overseas.

One part of the argument that I think is really missing is what effect do agricultural exports have on Americans as far as their jobs? And one gentleman made a statement about people working hard to pay taxes and using their money for this. Well, the fact of the matter is, in the State of California, where that gentleman was from, there are 124,000 jobs directly dependent upon agricultural exports. Think of it, 124,000 jobs which could be greatly reduced if we lose our export markets and if we do not continue to grow in our exports.

In Ohio there are 27,000 jobs directly related to agricultural exports. It is extraordinarily important in a State like Ohio to maintain those good, high-paying jobs which are dependent upon agricultural exports.

In the State of Iowa, a smaller population State, it has a huge impact. We have 80,000 jobs in Iowa that are directly related to agricultural exports. So when we talk about this program being some kind of corporate welfare, I hope people here will recognize the fact that our constituents at home are dependent upon agricultural exports.

It is very important that we go and promote high quality American pork overseas, not a particular company, but American pork. It is very important that we promote American soybeans and find new uses for those product overseas for corn products, for beef overseas.

It is extremely important. We have a tremendous number of jobs that are directly dependent.

So let us not just talk about exporting and competing with other nations. Let us talk about at home in our own districts how important it is that we continue to use the tools available that the producers themselves are willing to contribute to to sell their products overseas which create good jobs at home in our own districts, high-paying jobs, and really are the future for agriculture in the international marketplace.

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

Mr. Chairman, I rise today in strong support of the fiscal year 2000 Agriculture Appropriations bill. I commend the gentleman from New Mexico (Mr. SKEEN), the chairman, and the gentlewoman from Ohio (Ms. KAPTUR), the ranking member, and all my colleagues on the subcommittee for bringing this bill to us, a bill which supports American farmers in rural communities. This bill comes to us after much time, deliberation, and discussion. I thank the subcommittee for their hard work.

I want to address the current amendment to eliminate the Market Access Program. This program is vital to the success of our farmers. If this amendment passes, we as a Congress are to

blame for handing over U.S. agricultural market share to foreign competitors.

I believe with my whole heart that the American farmers are the most efficient in the world and produce the best products at the lowest prices and provide the safest food of anyone in the world. With this knowledge, I confidently say that given an equal opportunity, American farmers can compete and succeed against agricultural products from any other country.

However, American farmers are not being given this equal opportunity. The United States is outspent by more than 20 to 1 by our foreign competitors, promoting and subsidizing their own product.

In 1997, the leading U.S. competitor spent \$924 million to promote their agriculture exports, \$100 million of that spent on promotions here in the United States. Conversely, we grant our farmers assistance to the tune of \$90 million to help them compete against our competitor's \$924 million.

Rather than having this annual debate aimed at eliminating the program, I argue that Congress should rather be discussing a funding increase for the Market Access Program. This is the only program aimed correctly at helping U.S. agriculture products around the world.

Our competitors have no limits on what they will spend to assist their farmers in edging out our product. Their success is evidenced by the fact that U.S. ag exports have decreased by \$11 billion since 1996.

In conclusion, let me simply say the Market Access Program is a valuable tool we are able to provide our farmers. This tool not only helps them compete abroad, but it also supports thousands of U.S. export jobs, 24,000 in my State of North Carolina alone.

I urge my colleagues to vote in favor of U.S. farmers by voting against this amendment.

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

Mr. Chairman, I rise in opposition to the amendment that has been offered by my colleague, who intends on eliminating the Market Access Program.

We revisit this issue annually. Reforms have been undertaken. The Foreign Agriculture Service reviews proposals submitted by the agriculture cooperatives and nonprofit organizations. They must provide matching funds. The FAS scrutinizes expenses and the performances.

Farmers across the country are suffering from prices having dropped. Export opportunities have been withering, and they are trying to gain a market share in countries around the world. They are competing with odds against them.

Eliminating the cost share assistance of MAP would make that struggle even harder.

As we have eliminated the trade barriers between our country and other

countries, and we have not required the same relaxation in other countries as our farmers are competing with their hands tied behind their backs, we are trying to help them to search out other markets, other opportunities, beyond their traditional markets. We have tried to do this and we have been successful at it.

The money spent in this program, \$90 million, has returned, according to estimates, \$12.5 billion trade surplus in agriculture. And when our country has a trade deficit of billions of dollars, this is the only part of our trade and our export that actually has a trade surplus.

□ 1730

In the Northeast and in Maine in particular, there are families that own apple orchards that are hurting. The money that would be helping to generate business for them in the United Kingdom is a generic promotion for Macintosh apples which they are providing the match for. This is not a government handout but a match is required for them to participate in this program. It is a Federal program that is helping family farmers in a region where family farmers are struggling. I have been working with lobstermen, using the MAP funds trying to open up Asian markets to them. And I have helped family-owned sardine canneries secure assistance.

This is not some huge welfare for huge corporations. This is for fishermen, for farmers, for people who are working in family-owned businesses who have chosen a rugged way of life to put food on the tables of America and the world. This program is aimed at small- and medium-sized companies. It has been reformed and it is working. It is one of the few areas of our Federal export-import program that is working very successfully and is working for small- and medium-sized family farms. I would urge my colleagues to vote against this amendment and to keep this program working.

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

Mr. Chairman, I rise in strong opposition to this shortsighted amendment which would have a huge impact on the constituents in my district, Sonoma and Marin Counties in California, a district where some of the world's finest wines are produced. If this amendment passes, our world famous wine would certainly have a more difficult time competing in the world market. So would our neighboring districts, Napa County, Mendocino County and neighboring States, Oregon and Washington, and States across the country, like Arkansas.

This amendment would impact the small wine producers, those who rely upon Federal export assistance to enter and compete in the global marketplace. Let us be clear. The playing field in the world export market for wines is not level. Unlike Europe and unlike

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

Mr. Chairman, small California wineries suffer in such a lopsided marketplace without some marketing assistance. Let there be no mistake, this amendment targets small, family-owned businesses. Eighty-nine percent of the wineries that participate in the Market Access Program are small wineries. Furthermore, the Market Access Program is not a handout. It is a partnership, a partnership between small businesses and the USDA. And it provides funds on a cost-share basis. The European Union export subsidies amounted to approximately \$10 billion last year, Mr. Chairman. In fact, the European Union spends more on export promotion for wine than the United States does for all of our agricultural programs combined.

We need only look at last year to see this unfair disparity. Market promotion funds for the American wine industry totalled approximately \$5 million. The heavily subsidized European wine industry received \$1.5 billion. That is \$5 million in the United States and \$1.5 billion in Europe. The money we spend to increase the markets for American agricultural products is money well spent. Because of assistance from the Market Access Program, U.S. wine exports had their 14th consecutive record-breaking year in 1998, reaching \$537 million. This level is \$100 million over the year before, which means that each Market Access Program dollar generated a \$20 increase in exports.

Just as important, California wines can now be found on the retail shelves of over 164 countries. In the last 10 years, an additional 7,500 full-time jobs and 5,000 part-time jobs have been created by exporting wine. This is not only good for the American balance of trade, it is good for the American economy.

Mr. Chairman, we should help export U.S. products, not U.S. jobs. Oppose this amendment.

Mr. BARRETT of Nebraska. Mr. Chairman, I rise to oppose the Chabot amendment to the Market Access Program (MAP). Unfortunately, some of my colleagues appear not to understand the importance of MAP to our producers.

Two weeks ago, the director of the Nebraska Department of Agriculture was in town to discuss agriculture policy with Members of Congress and the administration. We discussed in general terms all of the options for supporting American producers, and keeping US agriculture competitive in the world market. But there was one thing the director specifically asked for, and that was continued funding for the Market Access Program.

Nebraska's central location and small population base make it difficult for many individual producers to compete internationally. MAP funds help our producers, and the Nebraska Department of Agriculture, to overcome this

hurdle by partially funding market service, and trade and research missions to foreign countries. These funds help support and promote the buying, selling, and development of Nebraska agricultural products. In today's market, this is critical.

Let's face it, our producers must export in order to survive and prosper. And their products must be competitive on the world market. The Market Access Program is one small way we can help our producers. I strongly urge my colleagues to oppose this amendment, and to support our producers.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. CHABOT).

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 72, noes 355, not voting 7, as follows:

[Roll No. 174]

AYES—72

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|--------------|---------------|---------------|
| Archer | Franks (NJ) | Paul |
| Armey | Frelinghuysen | Petri |
| Bachus | Graham | Portman |
| Barr | Hayworth | Pryce (OH) |
| Barrett (WI) | Hoekstra | Ramstad |
| Bass | Holt | Rivers |
| Berkley | Horn | Rogan |
| Bilbray | Hostettler | Rohrabacher |
| Campbell | Istook | Rothman |
| Chabot | Kelly | Roukema |
| Coble | Kind (WI) | Royce |
| Coburn | Klecicka | Salmon |
| Collins | Largent | Sanford |
| Conyers | Lazio | Scarborough |
| Cox | Linder | Sensenbrenner |
| Crane | LoBiondo | Sessions |
| DeLay | Luther | Shadegg |
| DeMint | Maloney (CT) | Shays |
| Doggett | Manzullo | Sununu |
| Doyle | Meehan | Tierney |
| Duncan | Miller (FL) | Toomey |
| Ehlers | Moran (VA) | Wamp |
| Ehrlich | Morella | Weiner |
| Fossella | Myrick | Wu |

NOES—355

| | | |
|--------------|------------|-------------|
| Abercrombie | Brady (PA) | Davis (VA) |
| Ackerman | Brady (TX) | Deal |
| Aderholt | Brown (FL) | DeFazio |
| Allen | Brown (OH) | DeGette |
| Andrews | Bryant | Delahunt |
| Baird | Burr | DeLauro |
| Baker | Burton | Deutsch |
| Baldacci | Callahan | Diaz-Balart |
| Baldwin | Calvert | Dickey |
| Ballenger | Camp | Dicks |
| Barcia | Canady | Dingell |
| Barrett (NE) | Cannon | Dixon |
| Bartlett | Capps | Dooley |
| Barton | Capuano | Doolittle |
| Bateman | Cardin | Dreier |
| Becerra | Carson | Dunn |
| Bentsen | Castle | Edwards |
| Bereuter | Chambliss | Emerson |
| Berman | Clay | Engel |
| Berry | Clayton | English |
| Biggert | Clement | Eshoo |
| Bilirakis | Clyburn | Etheridge |
| Bishop | Combest | Evans |
| Blagojevich | Condit | Everett |
| Bliley | Cook | Ewing |
| Blumenauer | Cooksey | Farr |
| Blunt | Costello | Fattah |
| Boehlert | Coyne | Filner |
| Boehner | Cramer | Fletcher |
| Bonilla | Crowley | Foley |
| Bonior | Cubin | Forbes |
| Bono | Cummings | Fowler |
| Borski | Cunningham | Frank (MA) |
| Boswell | Danner | Frost |
| Boucher | Davis (FL) | Gallegly |
| Boyd | Davis (IL) | Ganske |

Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hefley
Henger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Holden
Hooley
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kasich
Kennedy
Kildee
Kilpatrick
King (NY)
Kingston
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Larson
Latham
LaTourette
Leach
Lee

Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meek (FL)
Meeks (NY)
Menendez
Metcalfe
Mica
Millender-
McDonald
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Murtha
Nadler
Napolitano
Neal
Nethercutt
Northup
Norwood
Nussle
Oberstar
Obey
Oliver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascarell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Price (NC)
Quinn
Radanovich
Rahall
Rangel
Regula

Reyes
Reynolds
Riley
Rodriguez
Roemer
Rogers
Ros-Lehtinen
Roybal-Allard
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schaffer
Schakowsky
Scott
Serrano
Shaw
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skeltton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Pelosi
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Vitter
Walden
Walsh
Watkins
Watt (NC)
Watts (OK)

Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler

Weygand
Whitfield
Wicker
Wilson
Wise

Wolf
Woolsey
Wynn
Young (AK)
Young (FL)

NOT VOTING—7

Brown (CA)
Buyer
Chenoweth

Ford
McCollum
Ney

Waters

□ 1755

Mr. VENTO and Mr. GILMAN changed their vote from “aye” to “no.” Messrs. DELAY, COBURN, KIND, ISTOOK and LAZIO changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. BUYER. Mr. Chairman, on rollcall No. 174, I was present and voted “no”, but was not recorded, this is my third new voting card. I will now seal a 4th voting card.

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

This Act may be cited as the “Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2000”.

AMENDMENT OFFERED BY MR. YOUNG OF FLORIDA

Mr. YOUNG OF FLORIDA. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. YOUNG of Florida:

At the end of the bill, immediately preceding the short title, insert the following new section:

Sec. . Notwithstanding any other provision of this Act, appropriations under this Act for the following agencies and activities are hereby reduced to the following respective amounts:

| | |
|--|---------------|
| Agriculture Buildings and Facilities and Rental Payments: | |
| Repairs, Renovation and Construction | 0 |
| Cooperative State Research, Education and Extension Service: | |
| Integrated Activities | 0 |
| Agricultural Research Service: | |
| Buildings and Facilities | 0 |
| Rural Housing Service: | |
| Rural Housing Insurance Fund Program Account: | |
| Administrative Expenses | \$375,879,000 |
| Food and Drug Administration: | |
| Salaries and Expenses | 1,198,384,000 |

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION AND RELATED AGENCIES

[Fiscal year 2000]

Mr. YOUNG of Florida (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 Florida?

There was no objection.

□ 1800

Mr. YOUNG of Florida. Mr. Chairman, the agriculture bill as we present it was at the 302(b) level, but was over last year's spending limits. In consultation with many Members on both sides of the aisle, we had some agreement and some disagreement that we would make some adjustments in the total of this bill in order to make additional funding available for some of the other bills that will come along later. So we developed this amendment in lieu of all of the amendments that our friend from Oklahoma had filed in advance of the consideration of the bill.

Mr. Chairman, this bill in its original form is approximately \$14 billion new discretionary budget authority. This amendment would reduce that amount by \$102,500,000.

We have gone carefully through these accounts. What we are doing in most of these cases is delaying some construction, at least until next year, construction that is not essential to the farm programs that we are all trying to preserve.

By doing this amendment, we are able to guarantee that the money that is going into the system to help our farmers as they are planting and as they are preparing to harvest later in the year, that we help our farmers do what we have to do to help them to stay alive, to keep the family farms and to keep those people who are producing the food for America, to keep them in business.

This amendment, while it is a substantial cut based on the overall amount in the bill, it is not that great. It is merely in most of the cases postponing until next year some of the construction that we would have done originally in this bill. So I would ask the Members to expedite the consideration of this amendment so we can complete this bill and get it into conference.

| | Amount in committee bill | Amount in amendment | Revised amount by amendment |
|---|--------------------------|---------------------|-----------------------------|
| Agriculture buildings and facilities and rental payments ¹ | \$166,364,000 | (\$26,000,000) | \$140,364,000 |
| Cooperative State Research Education and Extension Service: | | | |
| Integrated activities | 10,000,000 | (10,000,000) | 0 |
| Agricultural Research Service: | | | |
| Buildings and Facilities | 44,500,000 | (44,500,000) | 0 |
| Rural Housing Service: | | | |
| Rural Housing Insurance Fund program account administrative expenses | 377,879,000 | (2,000,000) | 375,879,000 |
| Food and Drug Administration: | | | |
| Salaries and Expenses ² | 1,218,384,000 | (20,000,000) | 1,198,384,000 |
| | | (102,500,000) | |

¹ Of which \$26,000,000 shall be reduced from repairs, renovation, and construction.

² Of which \$10,000,000 shall be reduced from payments to the General Services Administration.

Ms. KAPTUR. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, we had heard on this side that this amendment might be coming, and I want to say to the chairman of our full committee, there is no Member that I would respect more in this House than the gentleman from Florida (Mr. YOUNG). I believe he is a man of integrity who would want to do what is right for America, and especially for rural America, as troubled as she is right now.

We have had an opportunity to review this amendment just for a few moments, and I would have to say overall to the membership that what this amendment does is it cuts an additional \$102 million of the funds that are available to the U.S. Department of Agriculture to meet the needs of rural America.

Now, let me say that I oppose the gentleman's amendment, and I strongly oppose it. I am sorry that I have to do that, because the chairman of the subcommittee and I came out of subcommittee in hopes we could have the kind of bipartisan unity that has always characterized this bill when it reaches the floor. But I think that I have to oppose the bill today for many reasons.

One of them is that, overall, if you look at the amount of funds that we will spend in our country today to serve the needs of rural America, we are about 33 percent under for the Year 2000 what we will spend this year just to prevent the hemorrhages that are going on from coast to coast, whether it is cattle country in Florida, whether we are talking about grain producers in the Midwest, whether we are talking about cotton ranchers down in Texas or whether we are talking about the Salinas Valley in California. We are talking about a situation that just does not need Band-Aids, but serious repair.

When we brought this bill for the Year 2000 to the floor, as uncomfortable as we were, we felt that, well, okay, so it is a big Band-Aid to get us through, but we know later in the year we are going to have to do more. Now for us to accept an additional \$102 million in cuts is beyond what we feel is the right thing to do for America.

This may be, with all due respect to the majority in this House, the right way to get you out of a political box among various warring factions inside the Republican Caucus, but it is not the right thing to do for America.

For example, one of the major areas you cut is under the Agricultural Research Service. I do not know how many of you have ever been out in these Agricultural Research Service buildings. These are not fancy places. I mean, this is where the structures of the building kind of get rusty. These do not look like America's defense facilities or America's NASA facilities. Yet, in fact this is where the future of America is being reborn every day because of the general use of research that goes on.

Yet in this cut, what do we do? We are cutting the Beltsville Agricultural Research Center by over \$13 million. It affects the State of Maryland. For New York, the Plum Island Animal Disease Center. In Pennsylvania, the Eastern Regional Research Center. In California, both in Albany and in Davis, their research labs. In Illinois, and this one really surprised me, in Peoria, the National Center for the Agricultural Utilization Research Service.

Now, that is only one of the many cuts in this bill. There is an additional \$10 million in research that is cut from the Cooperative Research Service and our extension programs. When we cut that additional \$10 million, that adds to the \$3 million that was already cut below last year, so it is a net negative of \$13 million in those cooperative research accounts below this year.

Research really is the seed corn of the future, and, with what is going on in rural America today, we need every single dime of that research working to invent the new technologies for the future that can help us preserve our food and fiber and fuel production inside the boundaries of this country.

We are very troubled by the additional \$20 million cut proposed in this amendment in the Food and Drug Administration. Here we are talking about the inspection service for food safety. We all know what is going on across this country with added needs for food safety. We have had plenty of outbreaks, in everything from cyclosporin to E. coli, everything that has affected citizens across this country. We do not need to cut the salaries and expenses account for the Food and Drug Administration.

I heard ad nauseam in our subcommittee about the need to approve different devices and prescription drugs, that FDA was not moving fast enough, we needed to do more. America was not moving fast enough to meet the commercial marketplace. We had to do more for FDA. Well, this budget does less for FDA.

The CHAIRMAN. The time of the gentleman from Ohio (Ms. KAPTUR) has expired.

(By unanimous consent, Ms. KAPTUR was allowed to proceed for 2 additional minutes.)

Ms. KAPTUR. Mr. Chairman, I would also like to mention that one of the cuts in here relates to the repairs to the South Building along Independence Avenue here, the Agricultural Building, \$26 million, a building whose heating and cooling systems dates back to the 1930s, the first major repair as we get ready for the 21st century. We have been waiting and waiting and waiting. This measure actually completely eliminates any construction, real improvements that could occur in that building, one of the relics around this city.

So, Mr. Chairman, I would have to say I know the gentleman is struggling. For those of us on this subcommittee who have worked very hard

for many months on this bill, this is an important moment for us.

So I would say to the gentleman from Florida (Mr. YOUNG), I strongly oppose the gentleman in his efforts to remove an additional \$102 million from the accounts for the U.S. Department of Agriculture and the Food and Drug Administration, at a time when America is asking us to do more in these areas, and particularly now when rural America is in crisis. This is absolutely not the place to make these cuts.

I would encourage the gentleman to go back and look at some of the other accounts, and would strongly urge the membership to vote no on this Young amendment.

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

Mr. Chairman, back in North Dakota this afternoon there are a number of farmers I represent wondering whether they will even be able to get through until next fall. We have had an unprecedented level of rain. It has destroyed the planting season, on top of the hardship they already faced because prices are below the cost of production, at a time when they have not been able to get for their crop what it costs them to grow the crop, and then on top of it production difficulties that have utterly disrupted their ability to get the crop in the ground.

This is a time of crisis in North Dakota. I would think it is a time of crisis well beyond a provincial concern as a North Dakota Congressman, because I am talking constantly with many Members representing farmers around the country. While your production dimensions may be different than ours, the fundamental is the same: Prices have not covered the cost of production, and that is irrespective of commodity and irrespective of region, and it has given us a crisis in agriculture.

I believe the floor consideration of the agriculture appropriations bill has been an utter travesty. At one point we had more than 100 amendments filed against it. Fortunately, we have worked that out. But now I cannot tell you how dispiriting it is to be an advocate for farmers in this country and have the chairman of the House Committee on Appropriations bring forward a \$100-plus million cut.

Let me just tell you where \$10 million of that would fall: Research and extension. Now, when this body, under a Republican majority, passed the freedom to farm law, you told farmers things were going to be different and they were going to be wonderful. They were going to have freedom to do new things, freedom to plant, freedom to do all kinds of things based upon the marketplace.

We know what has happened. Prices have collapsed and farmers are unprotected and farmers are going broke all over the country.

The agriculture research and extension component of this budget is what we need to deliver on the promise you

made to rural America, research to develop the new crop alternatives for people that cannot make money based on what they have been growing; new production methods that are more cost efficient, that will help keep these people in the game. It is part of the promise you made. Then extension, because it is extension that gets the research out of the universities and the land grant universities and out to the farmers so they can put it to work.

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

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

Mr. YOUNG of Florida. A question: Is the gentleman aware that just a month ago in the supplemental we did add an additional \$600 million over and above all the budgetary figures? So we are not ignoring the plight of the farmer. We are trying to expedite this bill to get this amendment considered, whether it goes up or down, and get the bill into conference, so this additional money can get into the hands of the farmer. We did just a month ago add another \$600 million over and above every budget figure.

Mr. POMEROY. Mr. Chairman, reclaiming my time, that was relative to a disaster, an emergency disaster occurring in agriculture. The Farm Bureau, another supporter of the freedom to farm bill, said you should have passed \$6 billion, not \$600 million.

I do not lay this on the chairman's shoulders. I have an enormous amount of respect for the chairman. But the fact of the matter is that that \$600 million did not deal with extension and research, the \$10 million I am talking about, and I cite that as an example.

Just a few months earlier than that, you set a 302(b) allocation for the Subcommittee on Agriculture of the Committee on Appropriations. The gentleman from New Mexico (Chairman SKEEN) went to work, working with the ranking member, the gentlewoman from Ohio (Ms. KAPTUR) and all of the Members. They came up with a bill within the allocation. They did everything right, and it is not right that agriculture should be bushwhacked on the floor of the House in this dark hour of despair by a \$100 million cut.

I urge Members, put party aside, put urban-rural aside, think about what is right and think about what is fair and reject this amendment.

□ 1815

The CHAIRMAN (Mr. PEASE). The question is on the amendment offered by the gentleman from Florida (Mr. YOUNG).

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

RECORDED VOTE

Ms. KAPTUR. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 234, noes 195, not voting 6, as follows.

[Roll No. 175]

AYES—234

| | | |
|---------------|---------------|---------------|
| Aderholt | Gillmor | Oxley |
| Archer | Gilman | Packard |
| Arney | Goode | Paul |
| Bachus | Goodlatte | Pease |
| Baker | Goodling | Peterson (PA) |
| Ballenger | Goss | Petri |
| Barr | Graham | Pickering |
| Barrett (NE) | Granger | Pitts |
| Barrett (WI) | Green (WI) | Pombo |
| Bartlett | Greenwood | Porter |
| Barton | Gutknecht | Portman |
| Bass | Hall (TX) | Pryce (OH) |
| Bateman | Hansen | Quinn |
| Bereuter | Hastert | Radanovich |
| Biggert | Hastings (WA) | Ramstad |
| Bilbray | Hayes | Regula |
| Bilirakis | Hayworth | Reynolds |
| Bliley | Hefley | Riley |
| Blunt | Herger | Rogan |
| Boehlert | Hill (MT) | Rogers |
| Boehner | Hilleary | Rohrabacher |
| Bonilla | Hobson | Ros-Lehtinen |
| Bono | Hoekstra | Roukema |
| Brady (TX) | Horn | Royce |
| Bryant | Hostettler | Ryan (WI) |
| Burr | Houghton | Ryun (KS) |
| Burton | Hulshof | Salmon |
| Buyer | Hunter | Sanford |
| Callahan | Hutchinson | Saxton |
| Calvert | Hyde | Scarborough |
| Camp | Isakson | Schaffer |
| Campbell | Istook | Sensenbrenner |
| Canady | Jenkins | Sessions |
| Cannon | Johnson (CT) | Shadeegg |
| Castle | Johnson, Sam | Shaw |
| Chabot | Jones (NC) | Shays |
| Chambliss | Kasich | Sherwood |
| Coble | Kelly | Shimkus |
| Coburn | King (NY) | Shuster |
| Collins | Kingston | Simpson |
| Combest | Klecza | Skeen |
| Cook | Knollenberg | Smith (MI) |
| Cooksey | Kolbe | Smith (NJ) |
| Cox | Kuykendall | Smith (WA) |
| Crane | LaHood | Souder |
| Cubin | Largent | Spence |
| Cunningham | Latham | Stearns |
| Davis (VA) | LaTourette | Stump |
| Deal | Lazio | Sununu |
| DeLaunt | Leach | Sweeney |
| DeLay | Lewis (CA) | Talent |
| DeMint | Lewis (KY) | Tancredo |
| Diaz-Balart | Linder | Tauzin |
| Dickey | Lipinski | Taylor (MS) |
| Doggett | LoBiondo | Taylor (NC) |
| Doolittle | Lucas (OK) | Terry |
| Doyle | Luther | Thomas |
| Dreier | Manzullo | Thornberry |
| Duncan | Markey | Thune |
| Dunn | McCrery | Tiahrt |
| Ehlers | McHugh | Tierney |
| Ehrlich | McInnis | Toomey |
| Emerson | McIntosh | Trafigant |
| English | McKeon | Upton |
| Everett | Meehan | Vitter |
| Ewing | Metcalf | Walden |
| Fletcher | Mica | Walsh |
| Foley | Miller (FL) | Wamp |
| Fossella | Miller, Gary | Watts (OK) |
| Fowler | Moran (KS) | Weldon (FL) |
| Frank (MA) | Moran (VA) | Weldon (PA) |
| Franks (NJ) | Myrick | Weller |
| Frelinghuysen | Nethercutt | Whitfield |
| Gallegly | Ney | Wicker |
| Ganske | Northup | Wilson |
| Gekas | Norwood | Wolf |
| Gibbons | Nussle | Young (AK) |
| Gilchrest | Ose | Young (FL) |

NOES—195

| | | |
|-------------|------------|------------|
| Abercrombie | Bonior | Condit |
| Ackerman | Borski | Conyers |
| Allen | Boswell | Costello |
| Andrews | Boucher | Coyne |
| Baird | Boyd | Cramer |
| Baldacci | Brady (PA) | Crowley |
| Baldwin | Brown (FL) | Cummings |
| Barcia | Brown (OH) | Danner |
| Becerra | Capps | Davis (FL) |
| Bentsen | Capuano | Davis (IL) |
| Berkley | Cardin | DeFazio |
| Berman | Carson | DeGette |
| Berry | Clay | DeLauro |
| Bishop | Clayton | Deutsch |
| Blagojevich | Clement | Dicks |
| Blumenauer | Clyburn | Dingell |

| | | |
|----------------|----------------|---------------|
| Dixon | Levin | Rivers |
| Dooley | Lewis (GA) | Rodriguez |
| Edwards | Lofgren | Roemer |
| Engel | Lowey | Rothman |
| Eshoo | Lucas (KY) | Roybal-Allard |
| Etheridge | Maloney (CT) | Rush |
| Evans | Maloney (NY) | Sabo |
| Farr | Martinez | Sanchez |
| Fattah | Mascara | Sanders |
| Filner | Matsui | Sandlin |
| Forbes | McCarthy (NY) | Sawyer |
| Frost | McDermott | Schakowsky |
| Gejdenson | McGovern | Scott |
| Gephardt | McIntyre | Serrano |
| Gonzalez | McKinney | Sherman |
| Gordon | McNulty | Shows |
| Green (TX) | Meek (FL) | Sisisky |
| Gutierrez | Meeks (NY) | Skelton |
| Hall (OH) | Menendez | Slaughter |
| Hastings (FL) | Millender- | Smith (TX) |
| Hill (IN) | McDonald | Snyder |
| Hilliard | Miller, George | Spratt |
| Hinchey | Minge | Stabenow |
| Hinojosa | Mink | Stark |
| Hoefel | Moakley | Stenholm |
| Holden | Mollohan | Strickland |
| Holt | Moore | Stupak |
| Hooley | Morella | Tanner |
| Hoyer | Murtha | Tauscher |
| Inslee | Nadler | Thompson (CA) |
| Jackson (IL) | Napolitano | Thompson (MS) |
| Jackson-Lee | Neal | Thurman |
| (TX) | Oberstar | Towns |
| Jefferson | Obey | Turner |
| John | Olver | Udall (CO) |
| Johnson, E. B. | Ortiz | Udall (NM) |
| Jones (OH) | Owens | Velazquez |
| Kanjorski | Pallone | Vento |
| Kaptur | Pascrell | Visclosky |
| Kennedy | Pastor | Watkins |
| Kildee | Payne | Watt (NC) |
| Kilpatrick | Pelosi | Waxman |
| Kind (WI) | Peterson (MN) | Weiner |
| Klink | Phelps | Wexler |
| Kucinich | Pickett | Weygand |
| LaFalce | Pomeroy | Wise |
| Lampson | Price (NC) | Woolsey |
| Lantos | Rahall | Wu |
| Larson | Rangel | Wynn |
| Lee | Reyes | |

NOT VOTING—6

| | | |
|------------|---------------|----------|
| Brown (CA) | Ford | McCollum |
| Chenoweth | McCarthy (MO) | Waters |

□ 1834

Mr. STRICKLAND and Ms. KILPATRICK changed their vote from "aye" to "no."

Mrs. KELLY and Messrs. LIPINSKI, TIERNEY, DELAHUNT, NETHERCUTT, TAUZIN, and SPENCE changed their vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated against:

Ms. MCCARTHY of Missouri. Mr. Chairman, on rollcall No. 175, I was unavoidably detained. Had I been present, I would have voted "no."

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

Mr. Chairman, I rise in opposition to the passage of this bill. I regret doing so, and I intended to support it. The comity in this body requires, I think, that we give notice to one another of actions that are being taken.

Now, I understand the Republican Conference met, and they have had trouble passing this bill, and they had a discussion. I do not know what went on. I was not in the conference. Apparently there was a determination, well, we will cut some programs from the bill. We will cut some items from the bill, \$102.5 million. These items were cut after going through the subcommittee and full committee.

My belief is that they were not cut substantively, that is to say, I do not believe for one second that a substantive judgment was made with reference to the merits of these particular projects. In my opinion, these cuts were made essentially as somewhat an across-the-board cut in order to get the requisite number of votes to pass this bill on the Republican side of the aisle.

Now, when we were in charge, I opposed those kinds of amendments, and I oppose them when we are not in charge.

My colleagues will not be surprised to learn that one of the projects cut was mine. Now, it was not mine personally, it was a lab facility, the Beltsville Agricultural Research Center, which this Nation has created. It happens to be located in my district. But it is America's research facility, and it is the best research facility in the world.

Every farmer, not just in America, but throughout the world relies on the research that that institution has produced. In fact, productivity at every farm in America and every farm in the world that uses our technology is very substantially up because of the product of the Beltsville Agricultural Research Center.

I was not singled out. Peoria, Illinois, had a project; the gentleman from Illinois (Mr. LAHOOD) took a hit. Others took a hit. So I do not perceive this to have been a partisan hit. I do not ascribe my colleagues' motives as partisan. I ascribe them to needing to get votes.

But I suggest to my colleagues, and I suggest to my colleagues on the other side, my side of the aisle, this is not the way to legislate. This is not the way to make critical judgments on the priorities of America.

Now, I know one of my colleague's Members had a lot of amendments, and he was going to offer hundreds perhaps until next week, and perhaps this got him on board. It appears that it did. He is not offering amendments anymore.

I talked to the gentleman from Alaska (Chairman YOUNG) for whom I have not only great respect, but unrestrained affection. I think he is one of the finest Members of this body. Frankly, one of the other Members with whom I am very close, and he would say that, I hope it does not hurt his reputation, is the gentleman from New Mexico (Mr. SKEEN). I do not think they would have done this. I do not think they did do it. I think they were the instruments.

But I do not think this is a good day for agriculture, for farmers, for consumers. I want to say something else about this bill. It plays a game, this \$102 million. It takes \$10 million in rental payments from FDA and says, we will not pay it.

My colleagues just passed a bankruptcy act that said something about personal responsibility, about paying one's bills. But in the amendment for which my colleagues just voted, they said, but one does not have to pay one's

rent, do not worry about it. So that when GSA goes to refurbish or maintain or build new facilities, there will not be any money in the pot.

Why? Because we did not pay our rent. Guess what? It is free. It is supply side maintenance and building of capital assets. That is what this amendment does that my colleagues voted for.

I would hope that my colleagues would vote against this bill. I would hope that we could go back to the board. If my colleagues want to cut, if the majority will is to cut, then let us do so in a rational, considered way, not by this, it was not midnight, but I had no notice of it, and I suggest that perhaps most Members did not have notice of it.

I urge a "no" vote on this legislation.

Mr. RYAN of Wisconsin. Mr. Chairman, I have watched the debate over agriculture appropriations for the past two days. Farmers are the backbone of my state. The economy of Wisconsin is based on agriculture—if our farmers suffer, the economy of our entire state suffers. These issues are vital to the people of the district I serve; however, no issue in agriculture is as vital to the farmers of Wisconsin as the reform of the dairy market order system.

This country, one of the most technologically advanced countries in the world, continues, at the behest of Congress, to force an antiquated system of price-fixing in the dairy industry that violates every free market principle. Congress has been manipulating the dairy industry for far too long. This system had a purpose in the 1930's; it was designed to encourage milk production in regions of this country that were suffering dairy shortages. But this system has outlived its usefulness. Advances in technology and transportation have eliminated the need for this system.

The current marketing order is unfair and inefficient for a number of reasons. Not only does it force higher prices for dairy products based on distance from my home state of Wisconsin; it also allows the Northeast Dairy Compact to operate. This is not a free market system; in fact, it is a system that violates most free market principles. It encourages overproduction and inefficient methods of production.

The farmers in my district are suffering because they live too close to Eau Claire, Wisconsin. How many members of Congress even know how far their district is from Eau Claire, Wisconsin? Yet the way dairy products are priced is based on that distance. Does that make sense to anyone? It surely doesn't make sense to me or the farmers of Wisconsin—a State where we are losing more family farms each year than many of you have in your entire state.

Make no mistake about it—this system hurts Wisconsin and hurts Wisconsin farmers—and this Congress is responsible for that. The USDA reform initiative is a small step to alleviate a situation that has been plaguing dairy farmers in the Midwest for far too long. According to USDA analysis, incorporating the changes in the Federal Milk Marketing Order Class I differential prices lowers average annual revenue in all federal order markets by only \$2.8 million and raises farm revenue for the U.S. by \$3.2 million. As we all know, these

price differentials do not represent the actual market price. This reform is essentially revenue neutral for a \$25 billion industry; yet many of my colleagues continue to use scare tactics claiming that these changes will cost hundreds on millions of dollars. The USDA estimates that the reform will result in a loss to farmers in some districts of approximately \$.02/per hundredweight.

This system needs to be reformed because it unfairly penalizes the Midwest dairy farmers and it hurts consumers and taxpayers. They are being asked to subsidize inefficiencies in the production of dairy products. They are being asked to pay for a program that continues to waste their tax dollars. They are being asked to pay higher prices at the supermarket for food.

We are no longer giving farmers in certain areas of the country an incentive to produce more milk. We are now giving them an incentive to overproduce milk. This type of system does not provide an incentive for farmers to operate efficiently or to produce items that are natural to their agricultural environment. How can we vote against a system that encourages the market to operate more efficiently?

If this House forces its will on the USDA, you will be silencing the voices of millions of farmers around the country who have been heard on this issue by USDA and deserve the right to vote on this reform. This reform must be supported by $\frac{2}{3}$ of the farmers in a region before it can be implemented in that region.

The USDA assures us that this reform will only create a more equitable free market system; it will not seriously impact prices paid for dairy products in any region of this country. It will be a win-win for everyone; I urge you to support these minute changes the USDA has made that will mean everything to the farmers in the first district of Wisconsin.

Ms. ROYBAL-ALLARD. Mr. Chairman, I rise in reluctant opposition to H.R. 1906, the Agriculture Appropriations Bill for fiscal year 2000.

It had been my intention to support H.R. 1906 because it contains many worthy, programs that are of benefit not just to our farmers, but to all Americans. However, in a last-minute ploy, the Republican leadership decided to make deep cuts to this bill that call into question their commitment to both American farmers and American consumers who rely on adequate funding for these programs. Those cuts included important agricultural construction projects in California, including improvements to the Agricultural Research Service's Western Regional Research Center at Albany and construction of the Western Human Nutrition Laboratory at Davis. These projects are supported by the Department of Agriculture, they were in the President's budget request, and there was no opposition to including the necessary construction funds prior to today. I am very disappointed that the Republican leadership has chosen to pull the rug out from under these vital facilities.

H.R. 1906, as reported by the Appropriations Committee, was not a perfect bill, but I believe Chairman JOE SKEEN and Ranking Member MARCY KAPTUR and their subcommittee members did a commendable job under tough budget constraints to fund the many deserving programs in this bill. The last-minute amendment offered by Rep. BILL YOUNG to appease the right wing of his party works against that spirit of bipartisanship.

This bill's scope, the so-called "agriculture" appropriations bill, is sweeping, from agriculture research, rural development and land conservation programs to food safety and operations of the Food and Drug Administration. Administration of our farm programs and marketing of our agricultural commodities is also included, yet the greatest share of the funding goes for nutrition programs, including food stamps, school breakfast and lunch, and the Special Supplemental Nutrition Program for Women, Infants and Children or WIC.

I'm particularly grateful to the committee for adding funding within the extension activities of the Cooperative State Research Education and Extension Service for an after-school program in Los Angeles. Our 4-H after school activity program is operating at 21 sites, and over 4,000 kids are participating in educational field trips, getting homework assistance and receiving other types of mentoring. This program is a wonderful antidote to the drug and gang activity to which many of the kids in my district are susceptible. I very much appreciate this one-time infusion of funding so we can sustain the program and establish a long-term partnership between the government and businesses in our community.

I am also grateful that the bill contains an increase of \$5 million for farm labor housing in the Rural Cooperative Service and \$9 million for rural housing assistance grants, which can also be used for non-profit organizations of farm workers. Migrant and seasonal farmworkers are some of the nation's most poorly housed populations. The last documented national study indicated a shortage of some 800,000 units of affordable housing for farmworkers. However, farmworker households are some of the poorest, yet least assisted households in the nation. So, the need for housing is great, and the committee has responded, within its overall budget constraints, to make some needed progress in this area.

The nutrition programs in this bill benefit many of my constituents and people of all ages across the United States. However, I share the concern that has been expressed about adequate funding for the WIC program. Prior studies have demonstrated that for every \$1 spent on the WIC program, up to \$3 is saved in costs to Medicaid and other federal programs. That easily makes WIC one of the most cost-effective programs administered by the federal government. Although the committee increased funding by \$81 million over last year, the amount provided is \$100 million less than the President's budget request.

WIC serves 1.2 million Californians, and we are making enormous strides in using the funds to serve all the mothers and children in need. On May 24, the California Department of Health Services lowered the maximum price it would pay for milk, eggs, cheese, cereal, juice and other foods in the WIC market basket in order to avoid having to cut 25,000 poor mothers and children from its roster. While other states may easily serve their WIC recipients with the funds distributed to them, California must use its funding shrewdly in order to serve all those in need. The Effective Food and Nutrition Education Program (EFNEP) of the Extension Service also plays an important role in working with WIC mothers and others to help them build positive lifelong nutrition habits and skill. I urge the chairman and the committee to reassess the WIC funding level during its conference with the Senate in order

to ensure that no qualified women and children miss out on the benefits of this program, which contribute to a healthy America.

California is the largest agricultural producing state in the nation, and I am phased that the committee has recommended funding for other programs of benefit to our farmers. Unlike many producers in the Midwest who have long benefited from agriculture price support programs, many of our California producers have been engaged in market-oriented agriculture for many years. That's why the Market Access Program (MAP) is so important to our cooperatives, small farmers and other producers who are making aggressive efforts to expand markets overseas. I'm pleased that the committee has funded MAP at its full authorized level.

In addition, agricultural research into the special problems that affect California commodities takes on added importance to our producers. Research into integrated pest management and into alternatives to methyl bromide are just some of the vital research projects under way at the University of California, and funding for the Agricultural Research Service, for cooperative federal-state research, for competitive research grants, and for special research grants are all important parts of this bill.

There are many other programs in the bill that I could comment on, including the food safety program and the youth anti-tobacco initiative in the Food and Drug Administration. These are areas where we would all like to do more if possible, but the committee originally reported a responsible bill based on its budget allocation. Now these partisan floor shenanigans call into question our ability to improve funding for these programs if opportunities present themselves later in the appropriations endgame.

In short, I would like to support this bill and the programs of benefit to my constituents and the people of California and the nation. However, I cannot in good conscience vote for final passage because the Republican majority has made a decision to depart from the usual bipartisan manner in which we consider this bill, in pursuit of their own political purposes. I hope that the House-Senate conference committee will make the needed improvements in this bill that will draw the customary widespread, bipartisan support before we send the final version to the President late in this fiscal year.

Mr. MALONEY of Connecticut. Mr. Chairman, I rise in support of the Food Contact Notification (FCN) program. The FCN program was authorized in the Food and Drug Administration Modernization Act of 1997, and received start-up funding in FY 1999. However, FY 2000 Agriculture Appropriations does not provide additional money. Without a funding source, either in the FY 2000 Agriculture Appropriations or through user fees, this program will not be implemented.

By reducing a significant regulatory burden, the FCN reforms expedite the approval of food contact substances, like plastic, paper and aluminum used in food packaging. Under this new streamlined regulatory system, it would be possible for safe food-contact materials to be marketed after only 120 days of filing notification with the FDA—shortening the current process from as much as six years to only a few months. Both consumers and manufacturers would benefit by the availability of better products in a more timely manner.

In fact, during the FY 2000 Agriculture Appropriations hearing the Committee recognized the value of the FCN program. Despite that endorsement, I am concerned that both the Committee and the Administration are relying on the future authorization of user fees to fund the FCN program. Yet to date, no fee authorization bill has been introduced, much less discussed in any detail. Without either an appropriation or an assurance of user fee authorization, the FCN program will not be implemented, and important progress in food packaging will be delayed.

It will be unfortunate if this innovative new program was unintentionally thwarted. For that reason, I urge the Chairman and Ranking Member to assure that at least the authorized level of funding be made available in the event that a fee system cannot be enacted in time for FY 2000.

The CHAIRMAN. There being no further amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LAHOOD) having assumed the chair, Mr. PEASE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 1906) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2000, and for other purposes, pursuant to House Resolution 185, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is there a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

□ 1845

MOTION TO RECOMMIT

Mr. OBEY. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore (Mr. LAHOOD). Is the gentleman opposed to the bill?

Mr. OBEY. Yes, I am, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. OBEY moves to recommit the bill H.R. 1906 to the Committee on Appropriations with instructions to report the same back to the House forthwith with the following amendment:

At the end of the bill, before the short title, insert the following new section:

"SEC. . Notwithstanding any other provision of this Act, the amount otherwise provided for salaries and expenses for the Food and Drug Administration is hereby increased by \$20,000,000."

Mr. OBEY. Mr. Speaker, I am opposed to this bill in its present form. In

substance, we will be providing one-third fewer dollars this year than we are providing at the present time to support the needs of our farmers, and that creates no compulsion at all to vote for this bill as far as I am concerned.

This recommittal motion restores \$21 million to the Food and Drug Administration just cut by the previous amendment. Now, those who are opposed to this amendment will say the money is not needed. If that is the case, I would ask one simple question: Why did we put it in the bill in the first place?

This cut, as the gentleman from Maryland indicated, was not made to solve any substantive problem with the bill. It was made to simply solve a political problem within the majority party caucus because the problem was that last week they had a worse week than Charismatic and they were trying to figure out how to recover. And so what they decided to do is to try to take a nip and a tuck out of some bills without regard to the substantive effect.

This amendment was not meant to solve a substantive problem. It was meant to simply help the majority party get another week through the legislative agenda while they try to figure out how to correct the fact that they are essentially \$35 billion from reality in terms of overall appropriations.

If Members are opposed to this amendment, I would simply ask: Are we really doing too much to achieve food safety in this country? Are we really doing too much to inspect foreign fruits and vegetables? Are we really doing too much to speed the delivery of new life-saving drugs to the marketplace?

We will, sometime this year, be voting on about \$15 billion for the National Institutes of Health. About \$5 billion of that will be for cancer research. We have been told that the chairman of the subcommittee on the majority side wants to double spending for the National Institutes of Health over the next 5 years. That is a lot of "blagole."

But no matter how much we put into research, if we contribute to bottle-necks at FDA, we are delaying the day when new life-saving drugs will reach the marketplace; life-saving drugs that deal with cancer, that deal with Parkinson's Disease, that deal with every other disease known to man.

I would urge my colleagues when they cast their votes tonight on this amendment to vote on substance, not politics; vote to restore this badly needed \$21 million. That is the least we can do to correct some of the damage just done by the previous amendment.

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

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

Ms. KAPTUR. Mr. Speaker, I would just say to the gentleman that this particular Member is going to support

the gentleman's motion to recommit and then will end the evening by voting against the bill, which I apologize to the subcommittee chair and to the full committee chair. It was not my intention as a loyal member, having gone through all those meetings, to do that. And I would urge all my colleagues to vote "no" on final passage as well, and I feel sad to do that today.

Mr. YOUNG of Florida. Mr. Speaker, I rise in opposition to the motion.

Mr. KINGSTON. Mr. Speaker, will the gentleman yield?

Mr. YOUNG of Florida. I yield to the gentleman from Georgia.

Mr. KINGSTON. Mr. Speaker, I thank the gentleman for yielding to me.

Just 2 years ago, Mr. Speaker, we all popped the champagne corks and celebrated the passage of a bipartisan budget agreement signed by the President of the United States, the Democrats and the Republicans in the Congress, and now it is time to follow through on that agreement. We must, on both sides of the aisle, follow through on our obligation.

Look what is ahead in terms of spending: Veterans' bills, processing of their health care claims, water and sewer grants, housing for the low income, education, money for teachers, Medicaid, children's health and immunizations, money for the National Park Service for land acquisition, for trails, for shelters, for the Department of Interior, research money for diabetes, Parkinson's, multiple sclerosis, heart, jobs programs of all natures. In essence, this is only the first appropriations bill. Everything else that is in our \$1.7 trillion budget lies down the road.

By supporting this decrease in funding on this bill right now, we free up more money down the road to have more options on these very, very important programs, and that is why we need to pass the bill in its present form, as amended.

Mr. YOUNG of Florida. Mr. Speaker, reclaiming my time, let me simply say that we in the House and our colleagues in the Senate and our President at the White House agreed to a balanced budget proposal in 1997. We set budget caps for this fiscal year and for the next fiscal year. And if my colleagues think this year is tough, wait till next year, because that budget cap goes down even more than it did this year.

But if we are going to be true to ourselves, if we are going to be true to the fiscal restraint that we put into effect and that all of our leaders signed off on, if we are going to stay within that budget cap, we are going to have to make some tough decisions, and today we are making some tough decisions.

Vote against this motion to recommit, vote for the bill. Let us get this bill into conference and get the money on the way to the American farmers where the help is really needed and bring that amount up to over \$14 bil-

lion just in the supplemental for 1999 and this fiscal year 2000 bill.

Make the tough choice, vote against this motion and let us pass this bill and get it to conference.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

RECORDED VOTE

Mr. OBEY. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 207, noes 220, not voting 8, as follows:

[Roll No. 176]

AYES—207

| | | |
|--------------|----------------|---------------|
| Abercrombie | Green (TX) | Moran (VA) |
| Ackerman | Gutierrez | Murtha |
| Allen | Hall (OH) | Nadler |
| Andrews | Hall (TX) | Napolitano |
| Baird | Hastings (FL) | Neal |
| Baldacci | Hill (IN) | Oberstar |
| Baldwin | Hilliard | Obey |
| Barcia | Hinchey | Olver |
| Barrett (WI) | Hinojosa | Ortiz |
| Becerra | Hoeffel | Owens |
| Bentsen | Holden | Pallone |
| Berkley | Holt | Pascrell |
| Berman | Hooley | Pastor |
| Berry | Hoyer | Payne |
| Bishop | Inslee | Pelosi |
| Blagojevich | Jackson (IL) | Peterson (MN) |
| Blumenauer | Jackson-Lee | Phelps |
| Bonior | (TX) | Pickett |
| Borski | Jefferson | Pomeroy |
| Boswell | John | Price (NC) |
| Boucher | Johnson, E.B. | Rahall |
| Boyd | Jones (OH) | Rangel |
| Brady (PA) | Kanjorski | Reyes |
| Brown (FL) | Kaptur | Rivers |
| Brown (OH) | Kennedy | Rodriguez |
| Capps | Kildee | Roemer |
| Capuano | Kilpatrick | Rothman |
| Cardin | Kind (WI) | Roybal-Allard |
| Carson | Klecza | Rush |
| Clay | Klink | Sabo |
| Clayton | Kucinich | Sanchez |
| Clement | LaFalce | Sanders |
| Clyburn | Lampson | Sandlin |
| Condit | Lantos | Sawyer |
| Conyers | Larson | Schakowsky |
| Costello | Lee | Scott |
| Coyne | Levin | Serrano |
| Cramer | Lewis (GA) | Sherman |
| Crowley | Lipinski | Shows |
| Cummings | Lofgren | Sisisky |
| Danner | Lowe | Skelton |
| Davis (FL) | Lucas (KY) | Slaughter |
| Davis (IL) | Luther | Smith (WA) |
| DeFazio | Maloney (CT) | Snyder |
| DeGette | Maloney (NY) | Stabenow |
| Delahunt | Markey | Stark |
| DeLauro | Martinez | Stenholm |
| Deutsch | Mascara | Strickland |
| Dicks | Matsui | Stupak |
| Dingell | McCarthy (MO) | Tanner |
| Dixon | McCarthy (NY) | Tauscher |
| Doggett | McDermott | Taylor (MS) |
| Dooley | McGovern | Thompson (CA) |
| Doyle | McIntyre | Thompson (MS) |
| Edwards | McKinney | Thurman |
| Engel | McNulty | Tierney |
| Eshoo | Meehan | Towns |
| Etheridge | Meek (FL) | Turner |
| Evans | Meeks (NY) | Udall (CO) |
| Farr | Menendez | Udall (NM) |
| Fattah | Millender | Velazquez |
| Filner | McDonald | Vento |
| Frank (MA) | Miller, George | Visclosky |
| Frost | Minge | Watt (NC) |
| Gejdenson | Mink | Waxman |
| Gephardt | Moakley | Weiner |
| Gonzalez | Mollohan | |
| Gordon | Moore | |

Wexler
WeygandWise
WoolseyWu
Wynn

NOES—220

Aderholt Gilman Petri
Archer Goode Pickering
Army Goodlatte Pitts
Bachus Goodling Pombo
Baker Goss Porter
Ballenger Graham Portman
Barr Granger Pryce (OH)
Barrett (NE) Green (WI) Quinn
Bartlett Greenwood Radanovich
Barton Gutknecht Ramstad
Bass Hansen Regula
Bateman Hastert Reynolds
Bereuter Hastings (WA) Riley
Biggart Hayes Rogan
Billray Hayworth Rogers
Bilirakis Hefley Rohrabacher
Bliley Herger Ros-Lehtinen
Blunt Hill (MT) Roukema
Boehlert Hobson Royce
Boehner Hoekstra Ryan (WI)
Bonilla Horn Ryun (KS)
Bono Hostettler Salmon
Brady (TX) Houghton Sanford
Bryant Hulshof Saxton
Burr Hunter Scarborough
Burton Hutchinson Schaffer
Callahan Hyde Sensenbrenner
Calvert Isakson Sessions
Camp Istook Shadegg
Campbell Jenkins Shaw
Canady Johnson (CT) Shays
Cannon Johnson, Sam Sherwood
Castle Jones (NC) Shimkus
Chabot Kasich Shuster
Chambliss Kelly Simpson
Coble King (NY) Skeen
Coburn Kingston Smith (MI)
Collins Knollenberg Smith (NJ)
Combest Kolbe Smith (TX)
Cook Kuykendall Souder
Cooksey LaHood Spence
Cox Largent Stearns
Crane Latham Stump
Cubin LaTourette Sununu
Cunningham Lazio Sweeney
Davis (VA) Leach Talent
Deal Lewis (CA) Tancredo
DeLay Lewis (KY) Tauzin
DeMint Linder Taylor (NC)
Diaz-Balart LoBiondo Terry
Dickey Lucas (OK) Thomas
Doolittle Manzullo Thornberry
Dreier McCreery Thune
Duncan McHugh Tiahrt
Dunn McInnis Toomey
Ehlers McIntosh Trafficant
Ehrlich McKeon Upton
Emerson Metcalf Vitter
English Miller (FL) Walden
Everett Miller, Gary Walsh
Ewing Moran (KS) Wamp
Fletcher Morella Watkins
Foley Myrick Watts (OK)
Forbes Nethercutt Weldon (FL)
Fossella Ney Weldon (PA)
Fowler Northup Weller
Franks (NJ) Norwood Whitfield
Frelinghuysen Nussle Wicker
Gallegly Ose Wilson
Ganske Oxley Wolf
Gekas Packard Young (AK)
Gibbons Paul Young (FL)
Gilchrest Pease
Gillmor Peterson (PA)

NOT VOTING—8

Brown (CA) Ford Mica
Buyer Hilleary Waters
Chenoweth McCollum

□ 1907

Mr. CAMP changed his vote from "aye" to "no."

Mr. DOYLE and Mr. MCINTYRE changed their vote from "no" to "aye."

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. MICA. Mr. Speaker on rollcall No. 176, I was avoidably detained. Had I been present, I would have voted "no."

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the passage of the bill.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 246, nays 183, not voting 6, as follows:

[Roll No. 177]

YEAS—246

Abercrombie Gallegly Nussle
Aderholt Ganske Ortiz
Archer Gekas Ose
Armey Gibbons Oxley
Bachus Gilchrest Packard
Baker Gillmor Pease
Ballenger Gilman Peterson (PA)
Barcia Goode Petri
Barr Goodlatte Pickering
Barrett (NE) Goodling Pickett
Bartlett Goss Pitts
Barton Graham Pombo
Bass Granger Porter
Bateman Green (WI) Portman
Bentsen Greenwood Pryce (OH)
Bereuter Gutknecht Quinn
Biggart Hall (OH) Radanovich
Billray Hall (TX) Ramstad
Bilirakis Hansen Regula
Bishop Hastert Reyes
Bliley Hastings (WA) Reynolds
Blunt Hayes Riley
Boehlert Hayworth Roemer
Boehner Herger Rogan
Bonilla Hill (MT) Rogers
Bonior Hilleary Rohrabacher
Bono Hobson Ros-Lehtinen
Boswell Hoekstra Roukema
Brady (TX) Horn Ryan (WI)
Burr Houghton Ryun (KS)
Burton Hulshof Salmon
Buyer Hunter Sanford
Callahan Hutchinson Saxton
Calvert Hyde Schaffer
Camp Isakson Sessions
Campbell Istook Shadegg
Canady Jenkins Shaw
Cannon John Shimkus
Castle Johnson (CT) Shows
Chabot Johnson, Sam Shuster
Chambliss Jones (NC) Simpson
Coble Kasich Sisisky
Coburn Kelly Skeen
Collins King (NY) Skelton
Combest Kingston Smith (MI)
Condit Knollenberg Smith (NJ)
Cook Kolbe Smith (TX)
Cooksey Kuykendall Souder
Cox LaFoe Spence
Cramer LaHood Stabenow
Crane Largent Strickland
Cubin Latham Stump
Cunningham LaTourette Sununu
Danner Lazio Sweeney
Davis (VA) Leach Talent
Deal Lewis (CA) Tauzin
DeLay Lewis (KY) Taylor (MS)
DeMint Linder Taylor (NC)
Diaz-Balart Lipinski Terry
Dickey LoBiondo Thomas
Dooley Lucas (OK) Thornberry
Doolittle Manzullo Thune
Doyle McCreery Tiahrt
Dreier McHugh Toomey
Duncan McInnis Trafficant
Dunn McIntosh Upton
Edwards Vitter
Ehlers McIntyre Walden
Ehrlich McKeon Walsh
Emerson Metcalf Wamp
English Miller (FL) Watkins
Evans Miller, Gary Watts (OK)
Everett Mollohan Weldon (FL)
Ewing Moore Weldon (PA)
Fletcher Moran (KS) Weller
Foley Morella Whitfield
Forbes Myrick Wicker
Fossella Nethercutt Wilson
Fowler Ney Wolf
Franks (NJ) Northup Young (AK)
Frelinghuysen Norwood Young (FL)

NAYS—183

Ackerman Hinojosa Owens
Allen Hoeffel Pallone
Andrews Holden Pascrell
Baird Holt Pastor
Baldacci Hooley Paul
Baldwin Hoyer Payne
Barrett (WI) Inslee Pelosi
Becerra Jackson (IL) Peterson (MN)
Berkley Jackson-Lee Phelps
Berman (TX) Pomeroy
Berry Jefferson Price (NC)
Blagojevich Johnson, E. B. Rahall
Blumenauer Jones (OH) Rangel
Borski Kanjorski Rivers
Boucher Kaptur Rodriguez
Boyd Kennedy Rothman
Brady (PA) Kildee Roybal-Allard
Brown (FL) Kilpatrick Royce
Brown (OH) Kind (WI) Rush
Capps Kleczka Sabo
Capuano Klink Sanchez
Cardin Kucinich Sanders
Carson Lampson Sandlin
Clay Lantos Sawyer
Clayton Larson Scarborough
Clement Lee Schakowsky
Clyburn Levin Scott
Conyers Lewis (GA) Sensenbrenner
Costello Lofgren Serrano
Coyne Lowey Shays
Crowley Lucas (KY) Sherman
Cummings Luther Slaughter
Davis (FL) Maloney (CT) Smith (WA)
Davis (IL) Maloney (NY) Snyder
DeFazio Markey Spratt
DeGette Martinez Stark
Delahunt Mascara Stearns
DeLauro Matsui Stenholm
Deutsch McCarthy (MO) Stupak
Dicks McCarthy (NY) Tancredo
Dingell McDermott Tanner
Dixon McGovern Tauscher
Doggett McKinney Thompson (CA)
Engel McNulty Thompson (MS)
Eshoo Meehan Thurman
Etheridge Meek (FL) Tierney
Farr Meeks (NY) Towns
Fattah Menendez Turner
Filner Millender Udall (CO)
Frank (MA) McDonald Udall (NM)
Frost Miller, George Velazquez
Gejdenson Minge Vento
Gephardt Mink Visclosky
Gonzalez Moakley Watt (NC)
Gordon Moran (VA) Waxman
Green (TX) Murtha Weiner
Gutierrez Nadler Weygand
Hastings (FL) Napolitano Wise
Hefley Neal Woolsey
Hill (IN) Oberstar Wu
Hilliard Obey Wynn
Hinchey Oliver

NOT VOTING—6

Brown (CA) Ford Waters
Chenoweth McCollum Wexler

□ 1923

Mr. SHAYS changed his vote from "yea" to "nay."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. SHIMKUS). Under the Speaker's announced policy of January 6, 1999, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

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

(Mr. BURTON of Indiana addressed the House. His remarks will appear