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REFERENCE: Vol. 131 No. 119

TITLE: PROVIDING FOR CONSIDERATION OF H.R. 2100, FOOD SECURITY ACT OF 1985

SPEAKER: Mr. BEREUTER; Mr. BONIOR of Michigan; Mr. de la GARZA; Mr. de la GARZA; Mr. EMERSON; Mr. ENGLISH; Mr. FRANKLIN; Mr. FRENZEL; Mr. HUGHES; Mr. JACOBS; Mr. LENT; Mr. MADIGAN; Mr. MOORE; Mr. OLIN; Mr. PANETTA; Mr. PICKLE; Mr. QUILLEN; Mr. ROBERTS; Mr. SCHUETTE; Mrs. SMITH of Nebraska; Mr. WALKER

TEXT: Mr. BONIOR of Michigan. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 267 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 267

RESOLVED, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2100) to extend and revise agricultural price support and related programs, to provide for agricultural export, resource conservation, farm credit, and agricultural research and related programs, to continue food assistance to low-income persons, to ensure consumers an abundance of food and fiber at reasonable prices, and for other purposes, and the first reading of the bill shall be dispensed with. All points of order against the consideration of the bill for failure to comply with the provisions of clause 2(1)(6) of rule XI and sections 303(a) and 402(a) of the Congressional Budget Act of 1974 (Public Law 93-344) are hereby waived. After general debate, which shall be confined to the bill and shall continue not to exceed two and one-half hours, two hours to be equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture, and thirty minutes to be equally divided and controlled by the chairman and ranking minority member of the Committee on Merchant Marine and Fisheries, the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Agriculture now printed in the bill, as modified by the amendments recommended by the Committee on Merchant Marine and Fisheries now printed in the bill, as an original bill for the purpose of amendment under the five-minute rule, said substitute shall be considered for amendment by titles instead of by sections, and each title shall be considered as having been read. All points of order against said substitute for failure to comply with the provisions of sections 303(a) and 401(a) of the Congressional Budget Act of 1974 (Public Law 93-344), and with the provisions of clauses 5(a) and 5(b) of rule XXI, are hereby waived. No amendment to the bill or to the substitute made in order by this resolution shall be in order except

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amendments printed in the Congressional Record on or before September 24, 1985, and except an amendment offered by the chairman of the Committee on Agriculture or his designee to strike out section 1141 of the substitute, as incorporated into the substitute by this resolution, and to insert the text of section 1141 of the substitute as reported by the Committee on Agriculture. All points of order against the following amendments for failure to comply with the provisions of section 303(a) of the Congressional Budget Act of 1974 (Public Law 93-344) are hereby waived: (1) an amendment by, and if offered by, Representative Volkmer of Missouri; and (2) an amendment in the nature of a substitute by, and if offered by, Representative Alexander of Arkansas. All points of order against an amendment by, and if offered by, Representative Evans of Iowa for failure to comply with the provisions of clause 5(b) of rule XXI are hereby waived. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order by this resolution. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Michigan [Mr. Bonior] is recognized for 1 hour.

(Mr. BONIOR of Michigan asked and was given permission to revise and extend his remarks.)

Mr. BONIOR of Michigan. Mr. Speaker, for the purposes of debate only, I yield 30 minutes to the gentleman from Tennessee [Mr. Quillen], pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 267 is an open rule providing for consideration of H.R. 2100, the Food Security Act of 1985. The rule provides for 2 1/2 hours of general debate; 2 hours to be equally divided between the chairman and ranking minority member of the Committee on Agriculture; and one-half hour to be equally divided between the chairman and ranking minority member of the Committee on Merchant Marine and Fisheries.

H.R. 2100 was reported by the Committee on Agriculture on September 13 and then sequentially referred to the Committee on Merchant Marine and Fisheries. The Merchant Marine Committee reported out the bill with several amendments to the version reported by the Agriculture Committee. The rule makes in order, as original text for the purposes of amendment, the Agriculture Committee amendment in the nature of a substitute, as modified by the amendments recommended by the Merchant Marine Committee. The rule provides that the substitute made in order under the rule will be considered by titles, instead of by sections, and each title will be considered as read.

This is an open rule, allowing any germane amendments not otherwise subject to another point of order to be offered under the 5-minute rule. The rule requires that all amendments to the bill be printed in the Congressional Record on or before Tuesday, September 24. The Rules Committee feels that this requirement was necessary to expedite consideration of this complex legislation as well as to facilitate the evaluation of each amendment's potential budgetary impact. The sole exception to the printing requirement is an amendment offered by the chairman of the Committee on Agriculture or his designee, to strike out section 1141 of the substitute made in order under the rule and to insert section 1141 as recommended by the Committee on Agriculture. Members should be sure that their amendments are drafted to the Union Calendar version of H.R. 2100.

All points of order against consideration of this bill for failure to comply with clause 2(L)(6) of rule XI, the 3-day layover for committee reports, are waived. This is necessary because the printed copy of the report from the Merchant Marine Committee has not been available to Members for the required 3 days.

The rule also waives all points of order against the bill for failure to comply with section 303(a) of the Congressional Budget Act. This section prohibits consideration of new spending authority that will become effective in a fiscal year, until the first budget resolution for that year has been adopted. This waiver is necessary because H.R. 2100 is an omnibus bill designed to reauthorize and redefine the Nation's agricultural policy for the next 5 years. The bill,

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therefore, sets target prices and price supports for certain commodities involving new spending authority beyond fiscal year 1986. The rule also waives section 303(a) against the substitute made in order under the rule for the same reasons.

The rule provides a waiver of section 402(a) of the Congressional Budget Act against consideration of the bill. This section prohibits the consideration of authorizing legislation not reported prior to May 15.

Points of order are also waived against the substitute for failure to comply with section 401(a) of the Congressional Budget Act. This section prohibits consideration of measures which contain contract or borrowing authority unless such authority is limited to amounts stipulated in appropriations acts. The Agriculture Committee will offer an amendment to make the contract authority in the bill subject to subsequent appropriations. This will cure the 401(a) violation.

The rule provides waivers of clauses 5(a) and 5(b) of rule XXI against the substitute. Clause 5(a) of rule XXI prohibits appropriations in a legislative bill. Clause 5(b) prohibits tax and tariff provisions in a measure not reported by a committee with jurisdiction over revenue matters.

Finally, the rule waives points of order against three specific amendments. All points of order for failure to comply with section 303(a) of the Congressional Budget Act are waived against: First, an amendment by Representative Volkmer of Missouri; and second, an amendment in the nature of a substitute by Representative Alexander of Arkansas. These waivers are necessary because these amendments will provide new spending authority prior to the adoption of the first budget resolution of the fiscal year in which that spending authority will go into effect.

Points of order for failure to comply with provisions of clause 5(b) of rule XXI are waived against an amendment by Representative Evans of Iowa. This waiver is necessary because the Evans amendment contains tariff provisions to be offered to a bill not reported by a committee with jurisdiction over revenue measures.

Mr. Speaker, the rule provides for one motion to recommit with or without instructions.

H.R. 2100, the omnibus farm bill of 1985, will extend and revise Federal agricultural programs for the next 5 fiscal years. It provides for agricultural price supports and related programs, for exports, resource conservation, farm credit and agricultural research. In addition, it extends and improves food assistance to low-income persons, and expands consumer nutrition programs.

Congress has not enacted major revisions in our agricultural programs since we last passed a 4-year authorization in 1981. Since that time much has changed.

Today, our Nation's farmers are in crisis. The value of farmland has plummeted so drastically that the losses rival those of the Great Depression. Farm income will drop this year. Commodity prices have declined. Agricultural exports are down. Every sector of the agricultural industry is feeling the strain. And when America's farmers suffer, we all suffer.

Agriculture is our Nation's largest industry and the backbone of our economy. Farmers have given much to this Nation. In most cases, the problems they are facing are a result of factors far beyond their control. Our Nation is in urgent need of legislation to address this crisis. I hope my colleagues will proceed to timely consideration of this bill.

I would like to emphasize two things in closing. First, this is an open rule. Second, Members must have their amendments printed in the Congressional Record on or before September 24.

Mr. Speaker, I urge the adoption of the rule and yield to the gentleman from Tennessee [Mr. Quillen] for the purpose of debate.

Mr. QUILLEN. Mr. Speaker, I yield myself such time as I may use.

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

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Mr. QUILLEN. Mr. Speaker, needless to say, this is a complicated rule, but one which I feel is necessary to order to pass a meaningful piece of farm legislation.

The Rules Committee acted responsibly in the debate on the cargo preference legislation and made in order the Merchant Marine and Fisheries Committee language as the original text for the purpose of amendment. Should the Agriculture Committee decide to amend that language it is their responsibility and they will have to take the lead.

As I said, the Rules Committee acted responsibly in making the Merchant Marine Committee language the original text

The bill contains many, many good provisions for our farm program. We know in America the farm program is in disarray. The farmers need help, great help; so this is the time to get the bill on the floor of the House for full debate.

The bill also contains a very worthwhile dairy provision that should be embraced without change.

I could go on and on about the qualities of the bill itself, but it will be fully debated on the floor.

In the Rules Committee, I advocated a time limit on the amending process under the 5-minute rule. The last time the farm bill was on the floor of the House it took 6 full days. How complicated this bill will be, I do not know and I do not know how long it will take. I recall that for our foreign aid bill, the Rules Committee set a time of 10 hours under the 5-minute rule and the rule passed. I think it saved some time. Foreign aid is always a complicated situation, as is this agriculture measure. But in this case we have a wide open rule with no time limitation on amendments.

We need to get down to the business of debate and pass it because our farmers and dairymen all need help.

Mr. Speaker, I yield 5 minutes to the gentleman from Illinois [Mr. Madigan].

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

Mr. MADIGAN. Mr. Speaker, we come to consider reauthorization of farm program legislation at a time when American farmers are undergoing the most severe economic pressure in 50 years. Interest rates remain too high; credit availability is uncertain; land values continue to erode; and crop prices are too low. American agriculture needs help, and it was with that in mind that my colleagues and I on the Agriculture Committee began over a year ago working toward shaping a farm policy that could respond to that need.

We were not working in a vacuum, however. The continued growth of the Federal deficit, which has been a contributing factor to the worsening financial situation of farmers, has moved Congress and the administration to undertake a serious effort to bring Government red ink under control. Every sector of Federal spending has been forced to accept budget reductions contributing to the overall budget savings. In the Agriculture Committee, the Congressional Budget Resolution required that we cut expenditures for the next 3 years by \$7.9 billion below the current services baseline.

I must commend my colleagues and especially our chairman for the diligent and serious way the committee accepted its responsibility and carried out its arduous task. Committed to the goal of preserving income assistance for the hard-pressed farmer, the committee, with much soul searching, managed to piece together the cuts necessary to satisfy the requirements of the budget resolution. In the end, to a very large degree, we were able to maintain the level of direct income protection for the producer.

Unfortunately, during the 11th hour of committee deliberations an amendment was adopted by a narrow majority that cast a dark shadow over the committee's previous work. The so-called Bedell amendment, if implemented, would make changes in American agriculture so radical that no one can even predict the ultimate consequences. The program is touted as voluntary but is in fact a no-choice program for the vast majority of American farmers. Unless a farmer

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participates he is prohibited, under penalty of law, from selling his grain for domestic consumption. To participate means, according to our best calculations, a typical farmer will be forced to set aside up to 40 percent of his corn acreage and 50 percent of his wheat acreage. This program will force economic suicide upon many American farmers.

When an identical Bedell amendment was offered as an amendment to the wheat and feed grain titles earlier in the markup, the committee overwhelmingly defeated it. Somehow a narrow majority of the committee reasoned that what was bad policy for Congress to take responsibility for was good policy for American farmers to take responsibility for. Such reasoning, if it can be called that, is a sham and plays a cruel hoax upon farmers desperate for help. On one hand, this amendment holds out a few pennies per bushel in price for grain in one hand while in the other hand is the sledge hammer of massive set-aside requirements, unprecedented Government intrusion, and control over farm decisionmaking and unpredictable disruption and even destruction of markets. In addition, it is reasonable to assume that many producers will be unable to adopt to the changes and will simply be forced out of business.

SPECIFIC RAMIFICATIONS OF "BEDELL"

For the grain farmers, who are supposed to receive the benefit from this mandatory control scheme, the existence of uncontrolled competing commodities would ensure the erosion of traditional markets as the artificially priced grains were displaced by freely traded commodities. Other existing markets would be severely threatened or disappear altogether. Ethanol refined from corn already receives Government subsidies to keep its price competitive; artificially high corn prices would effectively eliminate that market for corn. Five percent of the wheat crop is currently fed to animals. Under mandatory controls wheat could not remain competitive as animal feed, eliminating a share of the market. Corn sweeteners maintain a fragile economic balance with competing sweeteners; artificially set prices jeopardize the hitherto growing sweetener market for feed grain farmers. Corn gluten feeds have recently made inroads into the cattle feeding market; any price advantage would be instantly lost with the introduction of mandatory controls.

As wheat and feed grains lost their position in more and more markets, inexorable pressure would amount for the Secretary of Agriculture to balance supply and demand by increasing the mandatory set-asides on the grain crops. As early as 1987, set-asides for corn are estimated to be 40 percent or higher and over 50 percent for wheat. With the mandated price only a few cents above the present target price, mounting set-asides would rapidly eat up any initial income advantage with the farmer's income actually dropping below current levels as this process continues.

The inherent instability in a mandatory scheme that does not control all commodities would wreak further havoc on the farmer. Initially, farmers would move all possible acreage into the program to get a higher loan rate, at great cost to the Government. As the Secretary was forced to withdraw more and more land from production to balance supply and demand, farm income from the controlled commodities would fall. Farmers could then be expected to move their production into and out of the uncontrolled commodities, seeking a more profitable crop. These large shifts of production in and out of corn, wheat, soybeans, and other crops would produce instabilities that would frustrate Government efforts to balance supply and demand in the controlled commodities and leave farmers constantly scrambling after a higher income.

These mandatory controls would pit commodity against commodity and farmer against farmer, driving many of them out of agriculture. Nowhere would this problem be greater than in the livestock industry. Any producer of pork, beef, poultry or dairy products who buys feed for his livestock would be hit with higher feed costs. This would occur at a time when red meat consumption is falling and meat prices are at historic lows. For example, estimates indicate that this program could cause producers to lose an additional \$50 to \$100 per animal on cattle that are already losing money. Hog and poultry producers would be similarly affected.

By contrast, meat producers who grow their own feed will not be forced to reduce production or pay an artificially set price for feed. These on-farm meat and dairy feeders would be handed an overwhelming competitive advantage in a shrinking market. In effect, the power of the Government would be used to select which farmers are allowed to stay in production and which would be bankrupted.

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The artificial price levels in the mandatory program would effectively end American competitiveness in world markets for wheat and feed grains. As the historical examples clearly indicate, once markets are forfeited, as with recent embargoes, foreign competitors are encouraged to expand production, making it almost impossible to recover markets once they are lost. In the River Plate region of Argentina, Paraguay, and Uruguay there are an estimated 215 million acres of very fertile land that are waiting to be plowed. This estimated does not include any of the huge tracts of Brazil that have yet to be cropped. Once production from that acreage enters the world market, American farmers would face further world surplus production if the United States attempted to reenter the market.

Proponents of the mandatory control program insist that the Federal Government would subsidize grain shipments by paying the difference between the artificially set domestic price and the world price. In this way, they argue, the American position in world markets would be protected. The massive export subsidies that would be required to accomplish this would amount to between \$5.5 and \$7.4 billion per year over the life of the program. These figures do not include the hundreds of millions of dollars in cargo preference charges that the subsidized exports might very possibly incur.

Additionally, the international ramifications of export subsidies on this scale would undercut both the congressional and administration arguments for fair trade. If such a subsidy became a major factor in opening up a trade war, one of the first and largest casualties would be agriculture, particularly the export of soybeans and corn gluten feed to the European Economic Community. Once again, supposedly to benefit some farmers, Government action would penalize farmers in all other sectors of agriculture.

On the other side of world trade, the artificially high prices for wheat and feed grains would encourage attempts to import grain, grain products and products directly affected by higher grain prices. The endless series of efforts to evade American import quotas and restrictions that have occurred with the sugar program would reoccur on a much larger scale with a mandatory control grain program. The protections now provided under section 22 authority appear inadequate to meet this problem.

SUMMARY

The mandatory control plan in the Bedell amendment is bad for agriculture. It would drive some producers out of business and threaten the continued existence of others. The grain farmers who the controls are intended to help would find their income actually declining under this proposal at a time when they already have their backs to the wall. For the longer term, this attempt to reject the economic realities of the international market can only lead to a shrinking agriculture sector with fewer and fewer farmers and devastating consequences for an already hard pressed rural and small town America.

The surrender of individual control to the Government, while superficially attractive to some, is perhaps the most dangerous idea of all. If today the Government can forbid the sale of a farmer's own grain without its permission, what will the Government demand of the farmer tomorrow? Once we start down that path, it may be very difficult to turn back.

I had hoped to support H.R. 2100. I still hope that at the end of floor consideration the House will pass a responsible farm bill. Agriculture producers and the Nation need it. However, if the Bedell amendment is not stricken from this bill, I will be forced to vote against it.

Mr. BONIOR of Michigan. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Virginia [Mr. Olin].

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

Mr. OLIN. Mr. Speaker, I rise in support of the rule. We need certainly to adopt a new farm bill. We also need an open rule and plenty of time to debate so that we can consider ideas for improving and perfecting the farm bill.

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So I urge all of the Members to vote in favor of this rule today.

When the time comes, I will be offering an amendment to the dairy title of the bill. Our problem in dairy is serious, but not too complicated. For the last 5 or 6 years, we have been running a growing surplus of milk production.

My amendment would deal with that problem in a very simply way. We would gradually adjust the Federal purchase price support level, gradually down to the point where supply and demand come more in balance.

We got into trouble in the late 1970's when we raised an edict for a rather drastic increase in the support price level. By 1980, our surpluses were up to 8 billion pounds a year. In the 1981 farm bill, we did not correct that situation. It got as bad as 10 billion pounds by 1983.

For 35 years before that, we found that if you can adjust the price support level to where it is only marginally profitable to sell products to the Government that you reach an equilibrium that is very satisfactory to the farmers and does not give you much surplus. That is all we need to do.

I understand we have had about seven different bills relating to dairy in the last 5 years, since 1981. The last one had a 15-month diversion program in it under which we taxed all farmers to pay some farmers to reduce their production. It is the first time we had ever done that in dairy and never needed to do it.

What happened? Production did go down some, but consumption increased. And since the program went off in April of this year, production has jumped right back up and we are now producing more milk than we ever did before.

As it worked out, 20 percent of the farmers got paid for reducing their milk production. The other 80 percent paid the bill. The 20 percent got well paid. One congressional district had 37 farms who participated and got \$400,000 each. In one State, three farms shared \$4.6 million in that diversion program. The top payment to one farm was \$2.8 million.

Under the committee bill, we would come into the diversion program probably every year, paying some farmers to lower their production while at the same time holding price supports high and encouraging all of the rest to produce more. We do not need to have a payout program of this nature. The problem is not that complex.

I urge all Members to vote in support of the rule so that the amendment can be made in order, and I urge all of you to consider the dairy subject seriously and vote for my amendment when it comes time.

Mr. QUILLEN. Mr. Speaker, I yield 3 minutes to the gentleman from Louisiana [Mr. Moore].

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

Mr. MOORE. Mr. Speaker, I thank the gentleman for yielding.

The farm bill we are about to explore is entitled "The Food Security Act of 1985." That is an appropriate name.

Our capacity for self-reliance in the production of our own food and fiber is vital to the protection of this Nation, just as vital as the security of our borders from military attack.

If your underbelly is soft and unprotected, history tells us there is always somebody there ready to kick it.

Well, Mr. Speaker, agriculture is vulnerable today. It is time we stood up to our responsibilities of food security.

American agriculture was once fence-row-to-fence-row abundance. Hard work was rewarded by reasonable market prices.

Forces largely beyond the control of the farmers caused prices to begin to plummet, farm foreclosures to be

rampant, and fear to overtake orderly planning of next year's crop and finances.

As we look to this rule, and more importantly to the Food Security Act itself, I think of the three problems predominantly told to me in my travels across Louisiana in talking to farmers, livestock producers, and dairymen.

First, unprofitability, so we must restore farm income so that farmers can pull themselves out of debt and turn a profit. And farms that have been in families for generations can continue to be passed on because they are profitable.

Second, the strong link Farm Credit System which is vital to providing credit for our farmers for such things as planting, and equipment purchases. So we must address the system's prices and get with it.

Third, sagging exports, which are a vital link in the revitalization of the farm economy which has been affected by foreign competition that in many instances is subsidized along with high interest rates, low commodity prices, and uncertain financing.

So we must boost agricultural exports, not only to expand markets and increase sales to aid farmers, but to reverse the trend of our record trade deficit.

I ask each of you to judge this measure by its response to the needs of your States, and as I have, and will be doing on important provisions, to look at those dealing with dairy, sugar, cotton, rice, soybeans, and livestock. We can weigh these provisions and draw a framework which provides new challenge to the individual segments, but we have to keep in mind our overall goal, that which I started out emphasizing: food security, for it is the farmers, the livestock producers, and the dairymen, the grassroots of this country, that have set the standards that have shown us how to be self-reliant.

The agricultural industry is facing its greatest challenge in recent years. Let us provide it with direction, encouragement, and a farm bill that sends the correct signal to our farmers. Let us send the signal that we understand their problems, and let us send the signal that we appreciate their contributions to making this country grow and prosper.

Mr. QUILLEN. Mr. Speaker, I yield 6 minutes to the gentleman from Kansas [Mr. Roberts].

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

Mr. ROBERTS. Mr. Speaker, I rise in opposition to the rule. I oppose this rule very reluctantly.

The American farmer has been waiting on a farm bill for over 9 months now, and I certainly do not want to do anything to slow down the process in regard to passing a farm bill. However, I must oppose the rule because the rule we are considering today is unfair to the committee and to the American farmer.

Mr. Speaker, we have all become acquainted recently with the "level playing field" argument, or the lack thereof in discussing foreign trade. I am here to state that in my opinion, the Agriculture Committee will not be playing on a level playing field as it relates to the House's consideration of the 1985 farm bill, because of the manner in which the Rules Committee treated an amendment which we inserted in the bill, and it concerns farm exports and cargo preference.

Now, the Agriculture Committee has long, but reluctantly, conceded that the 31-year-old 1954 Cargo Preference Act, requiring that 50 percent of all Government-impelled shipments be made in U.S.-flag vessels, that this act applied to noncommercial agricultural exports shipped under such Federal food aid programs as Public Law 480, our Food for Peace Program, and section 416 of our Overseas Relief Program. These are programs essentially foreign aid in nature.

However, on February 21 of this year in the case of Transportation Institute et al. versus Dole in the U.S. District Court for the District of Columbia, brought by maritime interests against the Department of Transportation, it was held that the Blended Credit Export Program was also subject to the Cargo Preference Act. And as a result, the Department of

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Agriculture suspended the Blended Credit Program this February, and shipments involving over 3.5 million metric tons of U.S. grain valued at over \$500 million were not made.

Not only were these shipments not made, but that means our export picture was much more bleak. That means the surplus stays the same. That means the price at the country elevator of the farmer goes down or stays the same.

But the action of the maritime interests gave them an empty victory, because the blended credit shipments were suspended, and they realized no advantage from their suit, but in fact, hurt maritime interests at port facilities. But more importantly, it devastated farm exports that were suffering from a hard dollar and competing foreign subsidies.

We made cargo preference apply to farm export programs, but we shipped no cargo, so the maritime interests got an issue, not a bill.

Now the court case has been appealed to a U.S. Circuit Court of Appeals. A resolution of the matter in the courts, however, may be delayed for years.

Because of the importance and urgency of the matter, the gentleman from Oklahoma [Mr. English], my good friend and colleague, and I decided to introduce legislation that would clarify the situation surrounding commercial agricultural exports by amending the Commodity Credit Corporation Charter Act that is within the Agriculture Committee's jurisdiction, in our jurisdiction. By so doing, we continued the application of the Cargo Preference Act to foreign aid shipments, but exempted our commercial sales such as those under the Blended Credit Program. H.R. 1612 was referred to the Committees on Agriculture, Foreign Affairs, and Merchant Marine and Fisheries.

Now, the farm bill, H.R. 2100, is about Ivory soap pure within the jurisdiction of the Committee on Agriculture. Accordingly, common courtesy and House precedence would appear to clearly dictate that the Committee on Merchant Marine and Fisheries would be given the opportunity in the course of the consideration of H.R. 2100 in the Committee of the Whole to offer their amendment to section 1141. But instead, the Rules Committee took our amendment out and put theirs in.

It is always more difficult, I would say to my colleagues, to take a bull out of the pasture and to put him back him.

But the rule adopted by the Rules Committee is, I submit, a direct assault also as it relates to pure agricultural commercial exports. Accordingly, it should be rejected by the House.

I will vote against the rule reluctantly, because my farmers in Kansas are waiting patiently for a farm bill to be passed so that they can plant next year's crop. We are planting the seed in the ground as of right now.

But what is more important is that my colleagues in the House help us in farm country remove our farm exports from the heavy yoke placed on our backs by the maritime interests who prevailed in their court case involving blended credit. We cannot wait for years to have the courts to resolve this issue. It must be resolved in this legislation.

Therefore, no matter what the outcome on the vote on this rule, I urge your support for the Roberts-English amendment that will be offered to section 1141 to exempt commercial farm export programs. We did not want this fight with cargo preference, I would say to my colleagues. I have no greater respect for any other person in this entire body than the gentleman from North Carolina, Walter Jones, my good friend, who serves both on the Merchant Marine and Fisheries Committee and also on the Agriculture Committee. But we did not bring the court case either. We were working on a compromise until both interests walked away from the table when the ugly head of protectionism started to rise in this country. And yet in the Rules Committee, I heard many of my colleagues say the issue was buy American or bye-bye.

Well, I submit to you it is not b-y-e, b-y-e, it is who buys our products overseas in terms of our farm exports, and who pays for it. And I will tell my colleagues who pays for it when farm exports are not sold. It is the Kansas farmer.

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So plant your flag on behalf of cargo preference. I am for it. We should have a strong merchant marine. The Department of Transportation should pay for it, and all American taxpayers in full. But do not plant that flag in our back, and that is where you have planted it as of today.

Mr. EMERSON. Will the gentleman yield?

Mr. ROBERTS. I would be happy to yield.

Mr. EMERSON. Mr. Speaker, I just want to associate myself with the remarks of the gentleman from Kansas [Mr. Roberts], and to commend him and the gentleman from Oklahoma [Mr. English] for their leadership on this issue, which I heartily endorse.

Mr. ROBERTS. I thank my colleague.

Mr. QUILLEN. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan [Mr. Schuette].

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

Mr. SCHUETTE. Mr. Speaker, I thank my friend and my colleague, the gentleman from Tennessee [Mr. Quillen] for yielding.

Mr. Speaker, I rise in opposition to this rule because it hurts farmers, and I rise in objection to the actions of the Committee on Rules in removing the committee language which would have given farmers in our exports a better break today.

By the adoption of this rule, we are hurting our blended credit sales and impacting our intermediate credit sales as well at a time when America is facing, and American farmers, ag producers, are facing an export depression.

We do not play on a level playing field today for the American producer because of high, unfair foreign subsidies, and high exchange rates, and cargo preference which, in some cases, some instances, can increase the cost of our exports 170 percent, and it does not help us be price competitive in world markets. I have no bone to pick and no quarrel with my colleagues, that I respect, on the Committee on Merchant Marine and Fisheries, nor a quarrel with the maritime industry or the maritime union, but do not take it out on the farmers. Put it in another budget; do not put it on the end cost.

Mr. Speaker, I will be voting against this rule because of the basic unfairness to American agriculture; because it hits farmers smack dab in the jugular when there is enough hardship and enough suffering out there as well.

So I would urge my colleagues to reject this rule, and by so doing, you would be helping farmers and helping American agriculture. If we do not prevail on this, and I hope we do, let me say I will be very active with my colleagues Mr. Roberts and Mr. English to try to get some fairness and some help to exports and to the American agriculture producer.

Mr. BONIOR of Michigan. Mr. Speaker, I yield 3 minutes to the gentleman from Oklahoma [Mr. English].

Mr. ENGLISH. Mr. Speaker, I rise to oppose the rule and object to the action of the House Rules Committee yesterday in reporting out to the House floor H.R. 2100 without section 1141 of title 11 as agreed to by the House Committee on Agriculture and as the committee reported out the bill. Mr. Speaker, section 1141 as reported by the House Committee on Agriculture contained language which was vital to the agriculture industry. The substance of the provision was clearly within the jurisdiction of the Agriculture Committee and clearly germane to omnibus farm bill package, H.R. 2100. The provision, which is aimed at curtailing a court-ordered expansion of cargo preference regulations with regard to agriculture exports, was originally referred to the House Committee on Agriculture. I am afraid that the House Rules Committee ignored this point in allowing the motion to strike the provision to prevail. I feel

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that it would have been far better to leave the debate on the merits of the cargo preference in agriculture issue solely for the House floor and not for the House Rules Committee. Instead, a vital aspect of the House farm bill and a vital issue for American agriculture has been stricken from H.R. 2100. I object to this aspect of the rule under which the House Rules Committee recommends that we consider and debate H.R. 2100.

Mr. BONIOR of Michigan. Mr. Speaker, I yield myself such time as I may consume.

I would like to make a couple of comments with respect to what my colleagues have said on the issue of cargo preference and second the number of people who have risen against the rule.

With respect to the cargo preference issue, No. 1, Members should be aware that under Public Law 664 which is the Cargo Preference Act which was adopted I believe in the early 1950's, 1954; only 2 percent of the total U.S. agricultural trade was conducted with respect to cargo preference, 2 percent in 1983.

So we are not talking about the total export agricultural program in this country; we are talking about a very small portion. That figure, according to who you read and what recent decisions were handed down by the court, can fluctuate from 2 to 10 percent; but generally 2 percent is the figure that has been accepted.

The second point I would like to make is that the jurisdiction over that act belongs within the Committee on Merchant Marine and Fisheries. I recognize, and the Committee on Rules recognizes that the Commodity Credit Corporation Act, has jurisdictional home within the Committee on Agriculture. Therefore, you have a situation where both committees what to retain jurisdiction over this particular issue.

Through careful deliberations, the Committee on Rules felt that under this bill that we have blended together, predominantly dominated, obviously, by agriculture issues, that it was appropriate to take the position as advocated by the Committee on Merchant Marine and Fisheries and its chairman, the gentleman from North Carolina [Mr. Jones].

Now, my good friend, the gentleman from Oklahoma [Mr. English] stated that we ought to leave this debate for the floor. Well, it is going to happen on the floor; Mr. English, as he pointed out, will offer an amendment, and the Members on this floor will make that final decision on whether or not they want to adopt his position and those that have been expressed by Mr. Roberts and others, or whether they want to retain the law as it stands today.

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

Mr. QUILLEN. Mr. Speaker, since there has been a lot of discussion on the rule in regard to cargo preference, I would like to state that that subject is under the jurisdiction of the Committee on Merchant Marine and Fisheries, and I do not think the Committee on Agriculture should try to take jurisdiction of that.

Therefore, I support strongly the present language made in order in the rule and will help to try to sustain it when and if amendment is offered.

Mr. Speaker, I yield 2 minutes to the gentlewoman from Nebraska [Mrs. Smith].

(Mrs. SMITH of Nebraska asked and was given permission to revise and extend her remarks.)

Mrs. SMITH of Nebraska. Mr. Speaker, I rise in opposition to House Resolution Revise 267, to provide for consideration H.R. 2100, the Food Security Act of 1985. While I support consideration of the farm bill at this time and commend the House Agriculture Committee for reporting the bill, I am opposed to certain aspects of the proposed rule.

Specifically, I am vehemently opposed to the provision that allows the language regarding cargo preference, as reported by the Agriculture Committee, to be deleted in a last-minute move by the Merchant Marine and Fisheries Committee. If this rule passes, there will be an amendment offered to reinstate the Agriculture Committee's language that will allow our agricultural exports to get moving again.

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Mr. Speaker, when our American farmers are clearly in crisis and our commercial export promotion programs have been threatened and rendered ineffective by the expansion of cargo preference to them, I find a ruling that favors a discredited maritime program to be highly unfair.

Mr. Speaker, during its consideration of this measure, the Committee on Agriculture reaffirmed its commitment to a strong merchant marine and at the same time, took steps to ensure the practicality of the farm bill's export enhancement programs. By striking section 1141 of the bill, the Rules Committee has produced an unfair farm bill contrary to the wishes of the authorizing committee. I, therefore, am strongly opposed to the rule.

Mr. QUILLEN. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania [Mr. Walker].

Mr. WALKER. Mr. Speaker, I thank the gentleman for yielding. I appreciate the comments of my colleagues with regard to their opposition to this rule. I also am opposed to this rule.

I oppose the rule on the basis that this rule includes budget waivers, again, this is a constant stream of rules that we have on the floor with budget waivers in them. Once again, we come to the floor with this rule waiving the Budget Act, and it seems to me with a fairly serious violation.

In this particular instance, Mr. Speaker, what we are waiving is section 303(a) of the bill. Section 303(a) is intended to assure that within the budget process that we do not in fact have authorizations locked in that the budget becomes committed to, into the future.

In this case, what we are doing is, we are going to authorize moneys out into the outyears and thereby, it seems to me, undermine the budget process in those outyears.

In this particular case, that could be fairly serious, because it is my understanding that some runs of the farm bill in those outyears show that it may be as much as \$20 to \$30 billion over budget. That in fact will impact upon our ability to properly be able to comply with outyear budget figures that we at least thought we were getting ourselves in place with in the budget that we passed earlier.

But above that, it still comes back to the point I made before. We do in fact have a Public Law, 93-344, and in that public law we have committed ourselves to do something to obey the law. We are consistently and constantly coming to the floor saying that that law is meaningless, that we are going to waive the Budget Act. That is what we are doing here again, and I would suggest that is reason for opposition.

Mr. PANETTA. Mr. Speaker, will the gentleman yield?

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

Mr. PANETTA. I thank the gentleman for yielding.

The problem with 303(a) is that it does deal with future entitlements. But we are dealing here with setting target prices for future crops. As far as I know, crops are not grown in a fiscal year. You have got to set a target price for future crops. This provision has always been waived in every farm bill. It would be impractical not to waive it because of the very policies that are built into a farm bill.

Mr. WALKER. I would simply say to the gentleman that maybe, then, we are beginning to make a case. And since the gentleman has served with great distinction on the Budget Committee, we are beginning to make a case here. We have got to do something about this Budget Act. The bottom line is that if we cannot bring bills to the floor that comply with the Budget Act, maybe we better do something about the Budget Act. That is not just the 303(a) waiver we are talking about. We have got other waivers in this bill. And it is apparent, to me, that we have got a real problem.

So it would suggest that rather than constantly putting this Congress in a position of having to vote for budget

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waivers that violate the law of the land, that maybe what we ought to do is begin to look at the Budget Act and figure out that something has gone drastically wrong.

Mr. BONIOR of Michigan. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, if there was one reason not to vote against this rule, with all respect to my friend from Pennsylvania, it is the one he has just given.

The gentleman from California has correctly pointed out that the planting season and nature do not necessarily follow what we have established with regard to the Budget Act, and we have traditionally, since we have had a Budget Act, allowed the farm bill some flexibility with respect to next fiscal year and years beyond.

Let me also, if I could, just for a second, respectfully admonish Members who might be listening to this debate. I am getting a little concerned about this rule, quite frankly, and if it does go down, people ought to be aware that we are starting in the Rules Committee to get a heavy pile, a large pile, of bills. We have got a tax bill coming, we will have a trade bill before us pretty soon, right now there is the work of the DOD conference bill. We have got housing authorization. There are a lot of people on this side of the aisle who are concerned about that. We have got Superfund coming up, we have got the reconciliation bill before us. Frankly, I cannot guarantee -- I speak for myself and not for the full committee, but I think they share my sentiments -- I cannot guarantee that we are going to get a farm rule out quickly if we turn this rule down. We have many bills that are backed up in committee. You know what the calendar is like next week. We are not going to be here. I would suggest to the Members if you are serious about getting a farm bill through this House expeditiously -- and, heavens knows, we will have at least, I would think, 2, perhaps as much as 6, days, as we did 4 years ago, to debate this bill that we have got to get this rule passed and get on with the debate with this bill next Thursday.

So I would suggest that you think very seriously before you go back and really tell your farmers through your vote on this rule that we are not going to have farm legislation in the next week or so.

Mr. HUGHES. Mr. Speaker, will the gentleman yield?

Mr. BONIOR of Michigan. I yield to my friend, the gentleman from New Jersey.

Mr. HUGHES. I thank the gentleman for yielding.

Mr. Speaker, I have listened to some of the debate, and I find it somewhat curious, because cargo preference has traditionally and historically always been an issue before the Merchant Marine and Fisheries Committee.

It is my understanding that this rule does provide in the original text the language developed by the Merchant Marine and Fisheries Committee.

Mr. BONIOR of Michigan. That is correct.

Mr. HUGHES. My committee has some 5 days of sequential referral to try to respond to a change in the cargo preference law completed by the Agriculture Committee. Under the rule, as I understand it -- and correct me if I am wrong -- the issue can be advanced and will be debated and voted upon as offered in the form of an amendment by anyone on the Agriculture Committee or anyone else who wants to offer that amendment. Am I correct in my understanding?

Mr. BONIOR of Michigan. That is correct. And regardless of what happened in the Rules Committee, we are going to get a vote on this issue one way or the other. Of course, the burden now becomes that of the Agriculture Committee. But, irrespective, the votes are ultimately what is going to count.

Mr. HUGHES. I find it interesting, because time is of the essence in the Agriculture Committee. I know my farmers

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are hurting, as I am sure your farmers are hurting. But it seems to me that if you defeat the rule -- and you may very well do that -- it will be for naught, because we are going to argue the issue. And if in fact your particular approach to cargo preference is the one desired by the House, they can vote that way. But it seems to me that we will have ample opportunity to debate the issue in the context of this bill, and I do not understand what the debate is all about because the issue will be before the full House.

I thank the gentleman for yielding.

Mr. LENT. Mr. Speaker, will the gentleman yield?

Mr. BONIOR of Michigan. I yield 1 minute for purposes of debate only to my friend, the gentleman from New York.

Mr. LENT. I thank the gentleman for yielding.

Mr. Speaker, I would like to identify myself with the remarks made by the gentleman from New Jersey, with whom I serve on the Committee on Merchant Marine.

Our committee certainly does not like to get involved in disputes with other committees over issues of jurisdiction. And, historically, we have not had very many problems. However, in this case we think we have a very good argument. The Agriculture Committee is the committee, with all due respect, that put language in the farm bill in section 1141 that is exclusively and is directly a matter of our committee's jurisdiction. And when our committee got that bill on sequential, we only had 5 days, and we changed that language, it is true, that the Agriculture Committee had inserted having to do with cargo preference, in our committee, and the Rules Committee, in recommending this rule, has seen fit to agree with our opinion that the cargo preference language included by the Committee on Agriculture was simply beyond their scope; therefore, I am going to support this resolution (H. Res. 267). It is an appropriate rule for consideration on some needed legislation, and I would urge all of our colleagues to support the passage of the rule.

Mr. BONIOR of Michigan. Mr. Speaker, I yield 1 minute, for the purposes of debate only, to the gentleman from Minnesota [Mr. Frenzel].

Mr. FRENZEL. I thank the gentleman for yielding.

Mr. Speaker, one of the items of the gentleman's rule is a waiver of the rule prohibiting tax amendments by other than the committee of jurisdiction. It relates to an amendment offered, I am told, by the gentleman from Iowa [Mr. Evans]. Can the gentleman tell us why he waived, and can you tell us what the amendment is? My own committee has some interest in that, and it is unusual to provide for such a waiver. We are greatly concerned about it.

Mr. BONIOR of Michigan. Well, as I recall the discussion in the committee, when the gentleman from Iowa [Mr. Evans] testified, it was with respect to commodities that threatened our markets here and the imposition of tariffs thereto.

The gentleman is correct, it does touch upon jurisdiction in the Ways and Means Committee.

Mr. Speaker, I yield 1 minute to the gentleman from Texas [Mr. de la Garza] who has been waiting patiently.

Mr. de la GARZA. I thank the gentleman for yielding.

Mr. Speaker, let me state to my colleague from Minnesota and my colleague from Texas, our committee did not request this waiver. The Rules Committee, in its wisdom, gave the waiver so that Mr. Evans of Iowa might offer an amendment that touches on section 22. Our committee opposes that amendment. I oppose that amendment. I know that under the rule there exists the remote possibility that you could address other issues. We did not ask for that waiver. We hope that the amendment will be defeated. I implore everyone to work with us to defeat the amendment, and I will see

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to it, with whatever authority I have, that no other issue, except that very narrow amendment, within the jurisdiction of our friends from the Ways and Means Committee is touched in the amendment.

Mr. PICKLE. Mr. Speaker, will the gentleman yield.

Mr. de la GARZA. I yield to the gentleman from Texas.

Mr. PICKLE. I am sure the gentleman understands if this amendment that is pending is offered, it actually has something to do with the imports of a commodity into the country. That, definitely, goes into the jurisdiction of the Ways and Means Committee. Now, that ought not be waived. If it is not opposed on the floor, I think you will find that members of the Ways and Means Committee will oppose the rule or oppose the bill. We do not seek that. I would hope we could pass this bill. I would like the assurance of the chairman that he would oppose this amendment.

The SPEAKER pro tempore. The time of the gentleman from Texas [Mr. de la Garza] has expired.

Mr. BONIOR of Michigan. Mr. Speaker, I yield 30 seconds to my friend, the gentleman from Texas [Mr. de la Garza] to respond. But before I do, let me say, personally, that this gentleman opposes the amendment of the gentleman from Iowa [Mr. Evans]. There are others on the Rules Committee, obviously, who felt differently.

Mr. de la Garza. I would like to state to my colleague and all Members and the chairman of the Ways and Means Committee that we will oppose the amendment, that we did not ask for the waiver, and that we will try to protect their jurisdiction to the fullest extent and would hope that they work with us to pass a rule now because we need to proceed, and then we will oppose the amendment and see that it does not complicate issues that do not need to be complicated.

Mr. PICKLE. I thank the gentleman. We are willing to cooperate.

Mr. QUILLEN. Mr. Speaker, I yield 3 minutes to the gentleman from Mississippi [Mr. Franklin].

Mr. FRANKLIN. I appreciate my colleague from Tennessee yielding me this time.

Mr. Speaker, the gentleman on the Rules Committee suggests: What is the problem? Why are we in agriculture so upset about this rule?

Well, I will tell you gentlemen why we are upset. Because this rule strikes at the very heart of what the Agriculture Committee has tried to do with the farm bill. And that is to make agricultural products more competitive in world trade.

I do not believe that there is one Member of this House who has not given a speech about the trade deficit of this great country and what we can do about it to try to correct that trade deficit and become more competitive in the world.

Let me remind my colleagues also that the great economy of agriculture still has a trade surplus of \$16 billion. It is one of the only segments of our economy that still has that trade surplus. However, we lost \$10 billion last year in agriculture trade surplus, and we lost it because of our insistence on putting barriers and impediments into our laws that make us less competitive. That is exactly what the Rules Committee has done by adopting the merchant marine position on cargo preference.

That is why we are opposed to this rule. We spent 9 months trying to bring before this House an agriculture bill that would make our commodities more competitive, and the first thing that happens to us when we get out of the Rules Committee, up go the barriers, up goes the one thing that will keep our agricultural commodities from flowing in world trade. After the court's ruling applying cargo preference to blended credit, my friends, the estimated additional cost of the Department of Agriculture to institute that program of blended credit to move our products was \$40 million to \$50 million.

So what did we do? The Department of Agriculture realizes we cannot implement the program, so we do away with

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the blended credit program, leaving 3 million metric tons of farmers' grain still in storehouses in the United States, \$500 million in value of products that could have been sold by this country overseas had we not had the impediment of cargo preference.

You say it is only 2 percent. Let me tell you what it is. It is historically applied to the benevolent programs that this country has of feeding the world's hungry, Public Law 480. But do you know what cargo preference costs the Public Law 480 budget? A full 10 percent to implement cargo preference under the current status that it is in now. And now what we want to do is to apply cargo preference not only to our benevolent programs where we help countries of the world and feed the hungry, now we want to apply cargo preference to the commercial sales, the ones that individuals transact between the U.S. sellers and purchasers around the world, we want to put cargo preference applicable to that.

It destroys our ability to be competitive and those of you on the Rules Committee wonder why we are upset, it is because we want to keep agricultural products competitive. We have designed this Agriculture bill so that the U.S. Government can stand behind American farmers in world trade. The first thing that happens to us is that we put one more thing in there, a barrier to keep us from being competitive. I urge my colleagues to vote against this rule.

Mr. BONIOR of Michigan. Mr. Speaker, again, let me point out that all Members will have the opportunity to prevail in their wishes with respect to cargo preference if they vote for this rule. If you do not vote for this rule, we will not have a rule, we will be back up in the Rules Committee. I would suggest that the Members vote for the rule; the issue will come before you as Mr. English and others will present an amendment, and if you have the strength, if the membership agrees with your position, you will prevail.

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

Mr. QUILLEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I urge adoption of the rule. It is an open rule; there is no time limit on the amending process. I think it is just common sense that we get down to business to help the farmers of this great Nation of ours.

While we are doing that, do not forget the merchant marine fleet. After World War II, I came back from Sasebo, Japan, on a merchant marine vessel. Now, in the case of a national emergency what would we do? We do not have that fleet. They are foreign bottoms. I think if we do not protect that American merchant marine concept we are heading down the road to defeat. I know that the farmers of this country are already on the road to ruin unless we get down to business. We can accomplish a goal of helping farmers and the merchant marine if we do not kill this rule. I urge its adoption.

Mr. Speaker, to close debate, I yield 2 minutes to the gentleman from Nebraska [Mr. Bereuter].

Mr. BEREUTER. Mr. Speaker, I thank the ranking Member for his courtesy in yielding me this time, particularly since we happen to be on opposite sides on this issue.

Mr. Speaker, I, in the strongest terms possible, ask my colleagues to vote down this rule. When the court decision in February 1985 brought the Blended Credit Program under cargo preference, that upset the balance. What has the Merchant Marine and Fisheries Committee done now? They have declared war against the American farmer by joining that effort. They have upset the delicate political balance.

This is the first major trade legislation of the year. During this past year, \$100 million in grain and processed food was not delivered through Public Law 480, our Food For Peace Program aid, and our Emergency Aid Programs for Africa because of cargo preference. Well, I guess for the moment, we must live with that as a cost of subsidizing a merchant marine, but the subsidy should be in the budget of Department of Transportation and not in the budget of the agricultural budget or out of the sales of agricultural products. But now to have cargo preference applied to blended credit commercial grain sale is absolutely incredible. The costs are so astronomical, that it frankly kills the program of

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subsidized commercial sales of agricultural products.

This is a declaration of war against the American farmer by the Merchant Marine and Fisheries Committee. Through this action before the Rules Committee they have joined the maritime interests in declaring war against the American farmer and agribusinessmen. I think all bets or truce arrangements are now off. I think all cargo preference should be repealed -- yes, even from the Public Law 480 program. I am prepared to offer such an amendment. I am prepared to show the kind of influence that maritime political action committees have on this body. I am prepared, if necessary, to read the names and amounts of maritime PAC contributions to Members for recent years.

Mr. Speaker, I have told you about the food being taken out of the stomachs of African children last year by the price gouging of American shippers; now the Merchant Marine and Fisheries Committee would extend it further if you adopt this rule.

I am not intimidated by the fact that the rule may be voted down. Frankly, if the rule goes down, we will have another one because the prices for American agricultural products under the underlying enabling legislation to which the farm programs would revert would skyrocket. It is not going to hurt my farmers in the immediate sense if we do not approve a rule today.

For many reasons, including those raised by the Ways and Means Committee, including those raised by other people here on budgetary issues, this rule should be defeated. We will have another rule on the floor which would return the political balance where it has been on cargo preference.

Mr. BONIOR of Michigan. Mr. Speaker, I yield 2 1/2 minutes to the gentleman from Texas [Mr. de la Garza].

Mr. de la GARZA. I thank the gentleman for yielding me this time.

Mr. Speaker, we in the Agriculture Committee, and I, as the Chairman thereof, have the responsibility to establish government policy for agriculture. There are different viewpoints as what that policy should be, but the existing farm legislation begins to expire at the end of this month. We have to enact this legislation; we have to move. I regret that incidental issues have become the major focus of today's debate. Under the legislative process -- and more than half of my life I have spent in the legislative process -- rules do not matter if you have the votes. We will have the opportunity to debate all these issues fully. I did not get the rules that I requested; they put in other things that I did not request, but on my shoulders rests the responsibility to the farmers of America. We should not let one side issue sidetrack the train.

Someone will say, "Yes, you will get another rule." We may not have time to finish general debate today. We will not vote Monday, Tuesday or Wednesday or Friday. We will only have next Thursday. If we do not finish then, and I doubt that we will, we will go to the following Tuesday, into October. We have the supplemental; we have immigration; we have a myriad of things. Today is the day, and if because of an emotional issue that will be addressed well in the amendment process of this legislation, you kill this bill, you are killing the whole process, you are slapping the farmer in the face, you are turning around.

My responsibility and our committee's responsibility is to proceed. No one is being denied the opportunity; everyone will be given the sufficient time. So the issue then should be resolved in the amendment process. By killing this rule, you may well be sounding the death knell to assistance by this Government to the farmers of America. It is that serious.

I urge all of my colleagues that we can work out in the legislative process concerns about the rule. Vote for the rule; do not turn your back on the farmers of America. All of the other issues can be resolved. You need to support the rule.

Mr. PICKLE. Mr. Speaker, will the gentleman yield?

Mr. de da GARZA. I yield to the gentleman.

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Mr. PICKLE. With the assurance of the chairman of the committee, and I understand the ranking side, this Member of the Ways and Means Committee accepts that explanation, and I will not oppose this rule. I will ask for an "aye" vote. But we would ask the help of the gentleman.

Mr. de la GARZA. I urge the Members to support the rule and help us move on with the business at hand.

Mr. BONIOR of Michigan. Mr. Speaker, let me just conclude by emphasizing again this is an open rule. People who have amendments and those amendments are submitted by Tuesday, the 24th, can offer them. Once offered, if they are in order, they will be voted up or down. If they prevail, that position obviously will be taken to the Senate.

I urge my colleagues, as fervently as I can, to support this open rule.

Mr. Speaker, I yield back the balance of my time and move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

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

Mr. JACOBS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were -- yeas 205, nays 99, not voting 130, as follows:

(See Roll No. 316 Leg. In the ROLL segment.)

The Clerk announced the following pair:

On this vote:

Mr. Brooks for, with Mr. McCandless against.

Mr. HAMMERSCHMIDT and Mr. LUJAN changed their votes from "yea" to "nay."

Mr. LIGHTFOOT changed his vote from "nay" to "yea."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ROLL:

[Roll No. 316]

YEAS -- 205

Ackerman

Akaka

Andrews

Annunzio

Anthony

Aspin

AuCoin	Barnes	Bateman
Bates	Bedell	Beilenson
Bennett	Bentley	Berman
Bilirakis	Boehlert	Boggs
Boner (TN)	Bonior (MI)	Bonker
Borski	Boucher	Brown (CA)
Bryant	Burton (CA)	Byron
Callahan	Carney	Carper
Carr	Chapman	Chappell
Coelho	Coleman (TX)	Conyers
Crockett	Daniel	Darden
Daschle	de la Garza	Dellums
Dickinson	Dingell	Dixon
Dorgan (ND)	Dowdy	Downey
Duncan	Dwyer	Dyson
Eckart (OH)	Edwards (CA)	Erdreich
Evans (IA)	Evans (IL)	Feighan
Fish	Foglietta	Foley
Ford (MI)	Ford (TN)	Fuqua
Gejdenson	Gephardt	Glickman
Gonzalez	Goodling	Gray (PA)
Green	Grotberg	Guarini
Hall (OH)	Hall, Ralph	Hamilton
Hartnett	Hatcher	Hawkins
Hertel	Hopkins	Howard
Hoyer	Hubbard	Huckaby
Hughes	Hunter	Jacobs
Jeffords	Jenkins	Jones (OK)
Jones (TN)	Kanjorski	Kastenmeier
Kemp	Kennelly	Kildee
Kindness	Kostmayer	LaFalce
Leach (IA)	Lent	Levin (MI)
Levine (CA)	Lightfoot	Lipinski
Long	Lowry (WA)	Luken
Manton	Markey	Martin (NY)
Mazzoli	McCloskey	McHugh
McKernan	Mica	Michel
Mikulski	Miller (WA)	Mineta

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Mitchell	Molinari	Mollohan
Moody	Moore	Mrazek
Murtha	Myers	Natcher
Neal	Nelson	Oakar
Oberstar	Obey	Olin
Owens	Panetta	Parris
Pease	Penny	Pepper
Perkins	Pickle	Price
Quillen	Rahall	Ray
Regula	Reid	Robinson
Rodino	Roe	Rose
Roukema	Rowland (GA)	Roybal
Sabo	Savage	Saxton
Scheuer	Schneider	Schroeder
Schumer	Sharp	Shelby
Sisisky	Skelton	Smith (FL)
Smith (IA)	Snowe	Snyder
Solarz	Spence	Spratt
Staggers	Stallings	Stark
Stratton	Swift	Synar
Tauke	Tauzin	Taylor
Thomas (GA)	Torres	Torricelli
Towns	Valentine	Vander Jagt
Vento	Visclosky	Volkmer
Walgren	Watkins	Weiss
Wheat	Whitley	Whitten
Wirth	Wortley	Wright
Yates	Yatron	Young (AK)
Young (MO)		

NAYS -- 99

Archer	Arney	Bartlett
Bereuter	Bliley	Boulter
Broomfield	Brown (CO)	Bruce
Burton (IN)	Cheney	Coats
Cobey	Coble	Coleman (MO)
Combest	Coughlin	Craig

Crane	Dannemeyer	Daub
DeLay	DioGuardi	Dreier
Eckert (NY)	Edwards (OK)	Emerson
English	Fawell	Fiedler
Fields	Franklin	Frenzel
Gallo	Gekas	Gingrich
Gunderson	Hammerschmidt	Hansen
Hendon	Henry	Hiler
Holt	Hyde	Johnson
Kasich	Lagomarsino	Leath (TX)
Lewis (CA)	Lewis (FL)	Livingston
Lowery (CA)	Lujan	Mack
Marlenee	Martin (IL)	McCain
McEwen	McMillan	Miller (OH)
Monson	Montgomery	Moorhead
Morrison (WA)	Nielson	Packard
Pashayan	Porter	Ridge
Ritter	Roberts	Roemer
Rogers	Rowland (CT)	Schaefer
Schuette	Shaw	Shumway
Siljander	Skeen	Slaughter
Smith (NE)	Smith (NH)	Smith, Denny
Smith, Robert	Stangeland	Stenholm
Strang	Stump	Sundquist
Sweeney	Swindall	Thomas (CA)
Vucanovich	Walker	Weber
Whittaker	Wolf	Young (FL)

NOT VOTING -- 130

Addabbo	Alexander	Anderson
Applegate	Atkins	Badham
Barnard	Barton	Bevill
Biaggi	Boland	Bosco
Boxer	Breaux	Brooks
Broyhill	Bustamante	Campbell
Chandler	Chappie	Clay
Clinger	Collins	Conte

Cooper	Courter	Coyne
Davis	Derrick	DeWine
Dicks	Donnelly	Dornan (CA)
Durbin	Dymally	Early
Edgar	Fascell	Fazio
Flippo	Florio	Fowler
Frank	Frost	Garcia
Gaydos	Gibbons	Gilman
Gordon	Gradison	Gray (IL)
Gregg	Hayes	Hefner
Heftel	Hillis	Horton
Hutto	Ireland	Jones (NC)
Kaptur	Kleczka	Kolbe
Kolter	Kramer	Lantos
Latta	Lehman (CA)	Lehman (FL)
Leland	Lloyd	Loeffler
Lott	Lundine	Lungren
MacKay	Madigan	Martinez
Matsui	Mavroules	McCandless
McCollum	McCurdy	McDade
McGrath	McKinney	Meyers
Miller (CA)	Moakley	Morrison (CT)
Murphy	Nichols	Nowak
O'Brien	Ortiz	Oxley
Petri	Pursell	Rangel
Richardson	Rinaldo	Rostenkowski
Roth	Rudd	Russo
Schulze	Seiberling	Sensenbrenner
Shuster	Sikorski	Slattery
Smith (NJ)	Solomon	St Germain
Stokes	Studds	Tallon
Traficant	Traxler	Udall
Waxman	Weaver	Whitehurst
Williams	Wilson	Wise
Wolpe	Wyden	Wylie
Zschau		

SUBJECT: AGRICULTURAL MARKETING (90%); FARMERS & RANCHERS (89%); AGRICULTURAL

PRICES (79%); AGRICULTURE (79%); AGRICULTURAL LAW (79%); AGRICULTURAL EXPORT & IMPORT CONTROLS (59%); LIVESTOCK FEED (59%); MEATS (59%); BUDGET (59%); GRAIN FARMING (59%); ANIMAL FARMING & BREEDING (59%); APPROPRIATIONS (59%); INTERNATIONAL ASSISTANCE (59%); EXPORT TRADE (59%); IMPORT TRADE (59%);