

**Statement on Signing the
Agriculture, Rural Development,
Food and Drug Administration, and
Related Agencies Appropriations
Act, 2001**

October 28, 2000

Today I am signing into law H.R. 4461, the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act for FY 2001. I commend the Congress for presenting me an acceptable version of this bill that provides critical funding for our Nation's farmers and ranchers, improves the safety of our food supply, and provides assistance to low-income families and rural communities.

I am pleased that the Act fully funds my Food Safety Initiative at \$383 million, a \$57 million, or 17 percent, increase over FY 2000. These funds will improve food safety for all Americans by allowing the Department of Agriculture (USDA) and the Food and Drug Administration (FDA) to increase surveillance activities and inspections of domestic and imported food, accelerate responses to outbreaks, and perform vital research on ways to reduce pathogens in food so that we can advance a more science-based food inspection system. I also commend the Congress for dropping the objectionable language provision that would have prevented USDA from fully implementing the Egg Safety Action Plan that I announced in December 1999. This will now allow USDA and FDA to vigorously pursue the goal of cutting in half the number of salmonella illnesses from eggs.

While the Congress did not provide the full amount of my requested increase for the Special Supplemental Nutrition Program for Women, Infants, and Children, thereby failing to ensure that this vital program can achieve the goal of 7.5 million participants, the program will be able to serve a monthly average of just over 7.3 million individuals. I am pleased that the Act adopts my proposal to expand the vehicle allowance for the Food Stamp program, which will assist the many working poor families for whom owning a vehicle is the one item that makes them ineligible for food stamps. In addition, the Act will provide a much-needed increase in nu-

trition assistance for low-income families with high housing costs, by increasing the Food Stamp program housing allowance. The two changes mean that families do not have to choose among buying food, paying their housing costs, or having a more reliable car. However, I am disappointed the bill did not restore food stamp eligibility for certain legal immigrants, as proposed in my Budget.

Loans and grants for priority rural development programs will increase under the Act to \$9.9 billion this year, a \$2.7 billion increase over FY 2000. These funds will help diversify the rural economy, improve the quality of life in rural communities, and bring more rural areas across the "economic divide" that separates too many parts of the country from the historic economic expansion underway. I am especially pleased that the Act includes several of my proposals to address geographic areas of rural America that have long struggled with persistent poverty, including \$34 million targeted to Indian reservations for health clinics, child care centers, water systems, and job opportunities; and \$10 million for the Mississippi Delta Region to create better job opportunities and strengthen local financial intermediaries. The Act will also provide over \$100 million in loans and grants to help close the "digital divide" by financing local Internet service and broadband transmission in rural areas.

The Act increases USDA's conservation technical assistance to farmers and ranchers by over \$50 million from the FY 2000 level. Part of these funds will be used for a one-third increase in technical assistance to producers who are improving their animal waste management systems, as part of my Clean Water Action Plan. I am disappointed, however, that the Act cuts financial assistance for these and other conservation projects through the Environmental Quality Incentives program, and provides none of the funds I requested for the Farmland Protection Program that preserves farmland and helps communities manage urban sprawl. Also, while it is certainly helpful that the Act increases the Wetlands Reserve Program by 100,000 acres, it is far short of reaching the 250,000 acres per year I proposed for this program. I am hopeful that the next Congress and the next Farm Bill will recognize

that farmers were the first environmentalists and that Federal farm programs should be structured and funded to improve the environment while boosting farm income.

I am also pleased that the Act provides vital payments to farmers and ranchers who have suffered losses from natural disasters. However, the more than \$4 billion in emergency funds in this Act, combined with more than \$7 billion in farm assistance for the current crop year that was enacted this summer, represents the third year in a row the Congress has had to supplement farm income through major emergency appropriations, due to the failure of the 1996 Farm Bill. I am hopeful that the reforms enacted this year to the crop insurance program will mitigate the need for future *ad hoc* crop loss legislation. I continue to believe that USDA's farm income assistance program must be overhauled to target funds to family farmers based on their actual income losses on crops they are growing now, not paid out inordinately to corporate farms based on what they grew years ago. My Administration is reviewing the emergency funding provisions in this Act, and these funds will be released as needs dictate.

I am concerned that the bill contains an ineffective provision regarding importation of FDA-approved prescription drugs that represents little more than a false promise to the American public. While I am supportive of efforts to allow American consumers to gain access to lower-cost prescription drugs, the language included in the Act contains several loopholes that effectively render the provision meaningless. Among other serious flaws, drug manufacturers can deny importers access to FDA-approved labeling that is required for reimportation, and therefore, drug companies are likely to block reimportation of their medications. In addition, because this reimport authority expires after 5 years, private and public sector interest in investing in this system will be limited. Not only does this provision fail to provide discounts, it also does not address the larger issue of the lack of prescription drug coverage for Medicare beneficiaries.

I am also concerned that language in this Act restricts Presidential ability to initiate certain new agricultural and medical trade

sanctions and maintain old ones, as congressional approval of such sanctions will now be required. This could disrupt the ability of the President to conduct foreign policy, and could provide potential targets of U.S. actions with time to take countermeasures. The bill permits exports of U.S. farm and medical products to Cuba, but constrains these trade opportunities by barring the U.S. Government, and severely limiting U.S. private banks, from providing financing assistance to Cuba. In addition, the legislation purports to restrict the President's ability to authorize certain travel-related activities in Cuba. We are concerned that this provision could be read to impose overly rigid constraints on our ability to conduct foreign policy and respond to immediate humanitarian and operational concerns including, *inter alia*, protecting American lives, ensuring upkeep of American diplomatic installations, and assisting in both Federal and State prosecutions in the United States in which travel to Cuba may be required. We do not think that the Congress intended to curtail such activities by this legislation. Accordingly, my Administration will interpret this provision, to the extent possible, as not infringing upon such activities.

Also, I note that this bill will provide select U.S. industries with a subsidy above and beyond the protection level needed to counteract foreign subsidies, while providing no comparable subsidy to other U.S. industries or to U.S. consumers, who are forced to pay higher prices on industrial inputs or consumer goods as a result of the anti-dumping and countervailing duties. I call on the Congress to override this provision, or amend it to be acceptable, before they adjourn.

I am also concerned that this bill prohibits the Office of the Under Secretary of Agriculture for Natural Resources and the Environment from supervising, managing, or directing the Forest Service and the Natural Resources Conservation Service. Policy disputes between the Congress and the Administration should not degenerate into personal attacks. Under Secretary Jim Lyons and his office are essential to numerous national environmental, forestry, and conservation initiatives, and have provided strong leadership in this regard throughout my Administration.

There are a number of provisions in the Act that may raise Constitutional issues. These provisions will be implemented in a manner that is consistent with the Constitution:

- Section 719 of the Act specifies that funds may not be used to provide to any non-Department of Agriculture employee questions or responses to questions resulting from the appropriations hearing process. To the extent that this provision would interfere with my duty to “take Care that the Laws be faithfully executed,” or impede my ability to act as the chief executive, it would violate the Constitution, and I will treat it as advisory.
- Section 730 of the Act purports to constrain my ability to make a particular type of budget recommendation to the Congress. This provision would interfere with my constitutional duty under the Recommendation Clause, and I will treat it as advisory.
- Finally, there are provisions in the Act that purport to condition my authority or that of certain officers to use funds appropriated by the Act on the approval of congressional committees. My Administration will interpret such provisions to require notification only, since any other interpretation would contradict the Supreme Court ruling in *INS v. Chadha*.

I urge the Congress to approve the remaining FY 2001 spending bills expeditiously, and send them to me in an acceptable form.

William J. Clinton

The White House,
October 28, 2000.

NOTE: H.R. 4461, approved October 28, was assigned Public Law No. 106-387.

Memorandum on Determination To Waive Attachment Provisions Relating to Blocked Property of Terrorist-List States

October 28, 2000

Presidential Determination No. 2000-31

Memorandum for the Secretary of State, the Secretary of the Treasury

Subject: Determination to Waive Attachment Provisions Relating to Blocked Property of Terrorist-List States

By the authority vested in me as President by the Constitution and laws of the United States of America, including section 2002(f) of H.R. 3244, “Victims of Trafficking and Violence Protection Act of 2000,” (approved October 28, 2000), I hereby determine that subsection (f)(1) of section 1610 of title 28, United States Code, which provides that any property with respect to which financial transactions are prohibited or regulated pursuant to section 5(b) of the Trading with the Enemy Act (50 U.S. App. 5(b), section 620(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2370(a)), sections 202 and 203 of the International Emergency Economic Powers Act (50 U.S.C. 1701-1702), and proclamations, orders, regulations, and licenses issued pursuant thereto, be subject to execution or attachment in aid of execution of any judgment relating to a claim for which a foreign state claiming such property is not immune from the jurisdiction of courts of the United States or of the States under section 1605(a)(7) of title 28, United States Code, would impede the ability of the President to conduct foreign policy in the interest of national security and would, in particular, impede the effectiveness of such prohibitions and regulations upon financial transactions. Therefore, pursuant to section 2002(f) of H.R. 3244, the “Victim’s of Trafficking and Violence Protection Act of 2000,” I hereby waive subsection (f)(1) of section 1610 of title 28, United States Code, in the interest of