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September 4, 1996

The Honorable Charles Grassley
135 Hart Senate Office Building
U.S. Senate
Washington, D. C. 20510-1501

CORPORATION
FOR NATIONAL
 SERVICE

Dear Senator Grassley,

I would like to bring you up to date on our efforts to significantly expand the use of education award only programs, and propose that we meet to discuss one particular aspect of this effort.

Following our agreement last spring, we notified all state National Service Commissions of the education award only opportunity and we have been discussing it with State Commission Executive Directors around the country, with major non-profit organizations, and with college and university leaders. We will now very shortly announce the AmeriCorps Education Awards Program, making up to 5000 education awards available under this creative initiative. We envision a simplified application process, greater flexibility for participating programs, and reduced reporting burdens, as well as dramatically reduced federal costs. We are launching an aggressive outreach effort to bring this program to the attention of the independent sector, institutions of higher education, and others. I am enclosing the federal register announcement which includes program summary information.

The matter I want to discuss with you relates to my wish to ensure that rural America has a full opportunity to participate in this program. As I believe you are aware, for the past two years the United States Department of Agriculture (USDA) has successfully utilized more than a thousand AmeriCorps Members in local, rural service programs. These programs evidence remarkable achievements because of their success in leveraging unpaid community volunteers, and because AmeriCorps Members have proven their effectiveness in accomplishing important anti-hunger, rural development, and natural resource management objectives.

As you also know, we have ceased all Corporation program grants to federal agencies, including USDA. Secretary Glickman, however, hopes to be able to continue the USDA's service programs using USDA appropriations and voluntary local contributions — without any grant support from the Corporation for National Service.

1201 New York Avenue, NW
Washington, DC 20525
Telephone 202-606-5000

Getting Things Done.
AmeriCorps, National Service
Learn and Serve America
National Senior Service Corps

Honorable Charles Grassley

Page two

September 4, 1996

He assures me that these programs will continue to be developed and managed at the community level to respond to local needs and concerns, and that, with few exceptions, these efforts involve the active partnership of community-based organizations.

The question is whether our National Service Trust can continue to make available education awards to assist the education of men and women serving full-time in these USDA programs. I hope very much that you and Senator Bond will agree that the continued availability of education awards for participants in these USDA service programs is appropriate.

Let me give further background. We are statutorily required to emphasize programs that serve rural areas. In the majority of our rural programming we have done so through these USDA programs -- in part because many needy rural communities do not have a range of non-profit community organizations in a position to take on the responsibility of developing and managing AmeriCorps programs. If the USDA is not able to continue its national service efforts, there will be a loss of many effective rural service programs. Since the education award has been a key part of the appeal in recruiting service participants, its availability is vital to the continuation of these programs.

Let me emphasize again that this approach would not involve a grant from the Corporation -- or any transfer of Corporation funds -- to USDA. The USDA service participants would receive their living allowance from the USDA. We have the authority to treat such USDA participants as holding national service positions and therefore being entitled to the \$4725 education awards after successfully completing their service. Like other education award recipients, the participants do not get the money themselves (nor does it go through USDA). Instead, the money goes from the National Service Trust to colleges, universities, and vocational schools to pay the recipient's education costs or to lending institutions to help pay existing education loans.

I understand that Senator Leahy, who was instrumental in the development of the USDA Anti-Hunger Corps as well as other rural initiatives that have involved AmeriCorps Members, supports this approach to continuing to meet unmet needs in too-often neglected rural areas, and I hope you will offer your support as well.

I look forward to the opportunity to meet with you to discuss this further, and I know Secretary Glickman would be glad to join me to meet with you as well.

Honorable Charles Grassley

Page three

September 4, 1996

Chuck, thank you again for your leadership in helping to make national service a program in which all Americans can take pride.

Sincerely,

A handwritten signature in black ink, appearing to read "Harris", written in a cursive style.

Harris Wofford
Chief Executive Office

Enclosure

D R A F T

The Hon. Charles E. Grassley
United States Senate
135 Hart Office Building
Washington, D.C. 20510

Attention: Mr. Dean Zerbe

Dear Senator Grassley:

This letter is in response to the request of Mr. Dean Zerbe of your office, made by telephone on February 29, 1996, that the Department of Agriculture ("USDA") provide to you in writing the answers to several questions that you have concerning the USDA AmeriCorps program and the AmeriCorps/USDA First Annual Report (the "Report"). Specifically, Mr. Zerbe posed three questions, which may be fairly phrased as follows:

1. *What are the legal authorities for USDA to produce the Report?*
2. *What was the cost to USDA of producing the Report?*
3. *What was the amount and cost of staff time that was required to produce the Report?*

Printed below are our responses to these questions:

1. *What are the legal authorities for USDA to produce the Report?*

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8/3
3/6
1C
3/6

These are several authorities, both specific and general, that USDA relied upon in producing the Report. The most specific authority is found at Section C.21 of Interagency Cooperative Agreement No. 94ADFDC047 (the "Agreement"), dated October 19, 1994, between the Corporation for National and Community Service (the "Corporation") and USDA. The Agreement, a copy of which we are including with this letter, was the legal instrument by which the Corporation provided assistance to USDA to run an AmeriCorps program pursuant to 42 U.S.C. § 12571(b)(1). Section C.21 (*Reporting Requirements*) of the Agreement expressly requires USDA, as a recipient of assistance from the Corporation, to prepare an Annual Report that provides a summary of the program's accomplishments and service for the year. The information contained in the Report is used, in turn, by the Corporation in its report to Congress, which is mandated by 42 U.S.C. § 12632(b).

In addition to the specific authority contained in the Agreement, general authority to produce such reports may be found at 7 U.S.C. § 2207, which authorizes USDA to make reports from time to time on particular subjects, and at 7 U.S.C. § 2201, which generally authorizes USDA to disseminate information on activities within its purview.

2. What was the cost to USDA of producing the Report?

As a consequence . . . no more than \$4,387.

3. What was the amount and cost of staff time that was required to produce the Report?

Pursuant to Section . . . produce this Report.

. . . .



UNITED
STATES
DEPARTMENT
OF AGRICULTURE

BY FAX (hard copy to follow in the mail)

March 1, 1996

see attached sheet

Mr. Dean Zerbe
Office of the Honorable Charles E. Grassley
135 Hart Office Building
Washington, DC 20510

Dear Mr. Zerbe:

In response to your phone request yesterday that I provide you, in writing, the information that I provided you orally, I am hereby answering your three questions about the first AmeriCorps/USDA annual report. You inquired as to the legal authorities under which the Department produced the report, the cost of producing the report, and the amount and cost of staff time that was required to produce the report.

Authority for Producing the Report

The report was prepared under the general authority of the National and Community Service Act of 1993 {PL 103-82}, which enables AmeriCorps programs to evaluate themselves and to report upon those evaluations.

Further authority for production of the report is specifically granted by Section 121 (b) (3) of that same act, which states, "A Federal agency receiving assistance under this subsection shall consult with State Commissions for those States in which projects will be conducted." Because the USDA annual report was mailed to the executive directors of the state commissions of national and community service in each of the states in which USDA now sponsors AmeriCorps projects, production of the USDA AmeriCorps annual report played a key role in allowing USDA to meet the Congressional requirement to coordinate closely with such state commissions.

Cost of the Designing, Printing, and Mailing the Report

The individual components of this total cost are as follows:

at As a consequence of our efforts to produce the report for the lowest possible costs by utilizing only one color of ink, one color of paper, non-gloss paper, and only one photograph, the report was produced at a minimal cost to the American taxpayer -- less than a \$4,387 total cost for printing, designing, laying out, and shipping. The total cost for printing 7,000 copies of the report -- including the distribution of some of those reports to field offices -- was \$2,837. The total cost of salary and supplies to pay for the in-house design, lay-out, and camera-ready production of the report was \$1,050. Additional shipping costs -- including envelopes, postage, and stationary for the cover letters --- were no more than \$500. Thus, these combined costs for designing, printing, and mailing the report were no more than \$4,387.

✓
✓
✓
✓

Pursuant to Section C.21 of the Agreement,

2

The Cost of Staff Time

to USDA.

^{USDA AmeriCorps}
Given that all ~~USDA-sponsored~~ projects were required to submit four quarterly progress reports, and that the annual report was based solely on a compilation of these reports, individual USDA ~~sponsored~~ AmeriCorps projects spent no significant additional staff time compiling the annual report. ^{These} I personally compiled, wrote, and designed the first version of the report, the activities required approximately 110 hours of my time, ^{most compensation} many of which were at night, during weekends, and during holidays. Since I do not receive any payment for any overtime hours I work, no additional tax dollars were spent on staff time to produce this report.

^{little or}
As Director of National Service, ^{USDA} USDA,

I hope this information will assure ^{you} Senator Grassley that the ^{USDA} Department has taken every possible step to significantly reduce costs at the same time we meet our legal requirement to inform the Corporation for National Service, state commissions, and other entities about the progress of our AmeriCorps programs.

^{be}
I would be pleased to also provide any information you might request about the success of USDA ~~sponsored~~ AmeriCorps projects in Iowa or nationally. Additionally, ~~given that, to the best of my knowledge, neither Senator Grassley nor yourself have ever visited any USDA AmeriCorps sites in either Iowa or the remainder on the nation,~~ I would like to offer an open invitation to either of you ^{and your staff} to ~~make such a visit~~ on any occasion that is convenient for you. Please contact me again at (202) 720-5746 if you would like to arrange such a visit or if you require additional information.

I thank you again for your interest in our program.

any USDA AmeriCorps sites
either in Iowa or elsewhere
in the country.

Sincerely,

Joel Berg
Director of National Service, USDA

PRINT ORDER

You are hereby authorized to manufacture and ship the following described product in accordance with the purchase order and specifications indicated.

DEPARTMENT A G R I C U L T U R E		REQ NO 6-00181		DATE 01/30/96		PURCHASE ORDER NO 96071		PRINT ORDER NO 20549/OPA	
CONTRACTOR OAKCREST PRINTING				JACKET NO 404-083		ESTIMATED COST 2300.00		SHIP/DEL DATE 02/06/96	
TITLE ANNUAL REPORT AMERICORPS NW				OBJECT CLASS 24.00		STATE CODE 190		CONTR'S CODE 64960	
								PROGRAM NO 69-S	
PROOFS		SETS		DATE DUE TO GOVT		DAYS GOVT WILL HOLD		RETURN DATE TO CONTR	
Galley									
Page									
Blues									
MATERIAL FURNISHED TO CONTRACTOR				APPROPRIATION CHARGEABLE					
Manuscript				6048181009000251-100%					
Half-tones				BILLING ADDRESS CODE (BAC)					
Line Illus				3410-13					
Camera Copy				QUANTITY					
Negatives				7000					
Binders				COMPOSITION					
Other				Phototype Cold Type Hot Metal					
				QUALITY LEVEL					
				III					
				TRIM SIZE					
				8 1/2 X 11					
TEXT STOCK				COVER STOCK		NO OF TEXT PAGES (including Blanks)		FOLD-IN STOCK	
OFFSET WHITE 60LB.				MATTE COATED WHITE 65LB.					
FOUR COLOR PROCESS PRNTG				COLOR OF INK		COVER PRINTS		FOLD-INS/FORMS	
Cover 1 2 3 4 Text				Cover BLACK Text BLACK		1 2 3 4		Face Only Face & Back	
						48		1	
BANDING				Band units of		Drill round holes in diameter on side inches c to c		STRIP-INS	
Saddle X				Trim 4 Sides		Center of holes inches from edge of sheet		NEGATIVES (No Required)	
Side				Perf on Fold		Pads of sheets/sets each Pad on the side Chipboard required			
Perfect				Adhesive Strip		Pack per shipping container		☐ Pallets required	

DISTRIBUTION

RETURN NEGS TO GPO FOR STORAGE NO ☐ YES ☐

USDA, OGPA, RM. 501-A, 14TH &

RETURN ORIG AND/OR NEGS TO INDEP, SW WASHINGTON, DC 20250

STRIP ILLUS 1 A ON COVER AS INDICATED. ALSO SEE OVERLAY FOR COVER 1 (RULE AROUND PART OF THE HALFTONE) FOLLOW REGISTER MARKS FOR POSITION.

APPROX 5200-USDA REC.RM.0466 REAR SO.BLDG.12TH & C STS.,SW WASH. DC 20250

REC. RM. UPON RECEIPT DEL. TO RM:538A

APPROX 1800 SEE DISTRIBUTION ATTACHED

15-FILES L OF C, MADISON BLDG. EGD, 1ST & C ST, SE WASH., DC 20504

1-DEPOSITORIES USGPO JACKSON ALLEY RM. A-150 WASHINGTON, DC 20401

Departmental Authority (Signature and Title)		Blue Box Sample marked for		DATE SENT TO CONTRACTOR	
Jim Cecil/JWC 720-8660				01/30/96	

U.S. DEPARTMENT OF AGRICULTURE REQUEST FOR VISUAL SERVICES

1 REQUESTING AGENCY

Instructions: Please fill out numbers 1, 4, 5. Send the original and 2 copies to Publications Center if editorial clearance is required. If this is not required, send directly to Design Center (Rm. 518A).

Agency Name <u>OC</u>	Agency Contact (Name and Phone Number) <u>Kathleen</u>	
Agency Number <u>61303-0038</u>	Date of Request <u>1/18/96</u>	
Agency Appropriation Number <u>604818100900038</u>	Date Needed	Normal ☒ Rush ☐
Signature of Person Authorizing Services <u>[Signature]</u>	Estimated Cost (Confirm with Design Center) <u>\$1050</u>	
Signature of Person Receiving Finished Job and Date <u>[Signature]</u> <u>1/22/96</u>	Design Center Conference Requested	Yes ☐ No ☐

2 PUBLICATIONS CENTER USE ONLY

Clearance is Required ☐	Not Required ☐	Signature of Person Reviewing Job and Date
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3 DESIGN CENTER USE ONLY

Design Center Number <u>96-OC-0093</u>	Art Director <u>Anabelle May</u>	Date Received in Design Center <u>1/22</u>
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4 JOB DESCRIPTION

Work to be Performed <u>Design booklets of 1st Annual Report - USDA</u>	Publication ☐	Charts ☐	Exhibit ☐
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COST FOR DESIGNING AND LAYING-OUT
USDA AMERICORPS ANNUAL REPORT

ATTACHMENT B

Purpose and Use

Person is interested in 1st Annual Report

Audience

1st Annual Report - USDA

Title

Subtitle

Credits (Department / Agency / Series)

Date of Publication

5 REPRODUCTION SPECIFICATIONS

Size	Hot Type ☐	Photo Type ☐	Strike-on Type ☐
Separate Cover ☐	Self Cover ☐	Number of Inks • Interior/Cover	Binding

PRINT ORDER

You are hereby authorized to manufacture and ship the following described product in accordance with the purchase order and specifications indicated.

DEPARTMENT AGRICULTURE		REQ NO 6-00181		DATE 01/30/96		PURCHASE ORDER NO 96071		PRINT ORDER NO 20549/OPA	
CONTRACTOR OAKCREST PRINTING				JACKET NO 404-083		ESTIMATED COST 2300.00		SHIP/DEL DATE 02/06/96	
TITLE ANNUAL REPORT AMERICORPS				OBJECT CLASS 24.00		STATE CODE 190		CONTR'S CODE 64960	
NW				APPROPRIATION CHARGEABLE 6048181009000251-1		BILLING ADDRESS CODE (BAC) 0% 3410-13		PROGRAM NO 69-S	
PROOFS		SETS		DATE DUE TO GOVT		DAYS GOVT WILL HOLD		RETURN DATE TO CONTR	
Galley									
Page									
Blues									
MATERIAL FURNISHED TO CONTRACTOR				COMPOSITION		QUALITY LEVEL		TRIM SIZE	
Manuscript				Phototype Cold Type		Hot Metal		8 1/2 X 11	
Line Illus				Camera Copy		Negatives		Binders	
1				48				Other	
TEXT STOCK				COVER STOCK		NO OF TEXT PAGES (including Blanks)		FOLD-IN STOCK	
OFFSET WHITE 60LB.				MATTE COATED WHITE 65LB.					
FOUR COLOR PROCESS PRINTG				COLOR OF INK		COVER PRINTS		FOLD-INS/FORMS	
Cover 1 2 3 4 Text				Cover BLACK Test BLACK		1 2 3 4 48		Face Only Face & Back	
1 ULC				Sew		Band units of		STRIP-INS	
Saddle X				Trim 4 Sides		Shrink Film Wrap units of		1	
Side				Part on Fold		Other		NEGATIVES (No Required)	
Perfect				Adhesive Strip					
BINDING				Drill round holes in diameter on side inches c to c.		Center of holes inches from edge of sheet		Pads of sheets/sets each Pad on the side Chokboard required per shipping container Pallets required	

DISTRIBUTION RETURN NEGS TO GPO FOR STORAGE NO ☐ YES ☐
USDA, OGPA, RM. 501-A, 14TH &
RETURN ORIG AND/OR NEGS TO INDEP, SW WASHINGTON, DC 20250

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REC. RM. UPON RECEIPT DEL. TO RM:538A
APPROX 1800 SEE DISTRIBUTION ATTACHED
15-FILES L OF C, MADISON BLDG. EGD, 1ST & C ST, SE WASH., DC 20504
1-DEPOSITORY USGPO JACKSON ALLEY RM. A-150 WASHINGTON, DC 20401

Departmental Authority (Signature and Title) Jim Cecil/JWC 720-8660	Blue Box Sample marked for	DATE SENT TO CONTRACTOR 01/30/96
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2837

COST FOR PRINTING AND SHIPPING
USDA AMERICORPS ANNUAL
REPORT

ATTACHMENT A

7 - FOLDER

Copy

Negs 48.00
HT 8.00
TEXT S.V. 192.00
ring TXT 302.40
over SV 36.00
Rm 140.00
700.00
1411.12

Crossfile under
Grassley
+
memo
from
Joel

July 18, 1994

To: Susan Stroud, Rick Allen, Meg Maguire
From: Joel Berg
Subject: Grassley's USDA Question

Your talking points sent to the press were absolutely excellent -- they were perfect in both substance and tone.

Attached is my draft suggested response to Grassley's questions on USDA. Notice we do not respond directly to his question on our funding, since this is still being finalized.

I am in the process now of running our response by Secretary Espy's office and our Assistant Secretary for Congressional Affairs. Please do not send our release from Grassley until I get it approved here. I will try to do that this morning.

Grassler

Suggested language in response to question #2 on USDA:

The Department of Agriculture is now planning to run an AmeriCorps program with 1,200 participants serving in 1994-1995, working towards a goal of performing 2,040,000 hours of service. The level of funding to be provided by USDA is still being determined and can not be finalized until two events occur: 1) Congress concludes the Department of Agriculture's appropriations process for FY95, and 2) final grant negotiations with the Corporation for National and Community Service are completed. The Department of Agriculture is also in the process of finalizing any funding that may be provided by state and local governments, and by private sources.

The USDA Director of National Service, who is in the Senior Executive Service, has a staff of two -- one at GS 15 and one at GS 12 -- who work in direct support of the USDA AmeriCorps program.

The Department of Agriculture expects all its AmeriCorps programs to be cost efficient, citing the experience of the one similar program it now runs through the Forest Service, the Youth Conservation Corps (YCC). In 1993, USDA sponsored 1,003 number of YCC participants, accomplishing \$1.43 worth of work for each dollar invested.

Jenneth G. Coleman
Approved for legal sufficiency.
7/18/94

D. Kaplan
7/18/94

Suggested Addition to Bond AmeriCorps Amendment

Current language:

“No funds shall be available for national service programs run by federal agencies authorized under title III of the Act (42 U.S.C. 12661 et seq)”

Suggested additional language:

“However, the Corporation for National Service may enter into cooperative agreements with Federal agencies in which the Corporation for National Service would provide only educational awards for national service participants and in which the Federal agencies would use their own appropriated funds to help support national service programs.”

CHRISTOPHER S. BOND

MISSOURI

COMMITTEES:

APPROPRIATIONS
BANKING, HOUSING AND
URBAN AFFAIRS
SMALL BUSINESS
BUDGET
ENVIRONMENT AND
PUBLIC WORKS

United States Senate

WASHINGTON, DC 20510-2503

October 23, 1996

The Honorable Patrick Leahy
433 Russell Senate Office Building
Washington, D.C. 20510

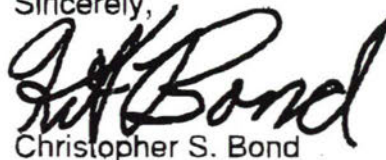
Dear Pat:

After reviewing your proposal to allow the U.S. Department of Agriculture (USDA) to use its own appropriated funds to support AmeriCorps projects, I fear that this approach is contrary to the objectives we have pursued to reform AmeriCorps to generate support of funding for AmeriCorps.

I understand your objective and agree the USDA AmeriCorps programs are beneficial and serve the community well. Be assured that when Congress convenes in January, I will work with Members to ascertain new ways of funding these programs.

I look forward to working with you during the 105th Congress. If you or your staff have any questions, please contact Shawn Gilleylen of my staff at 4-5721.

Sincerely,



Christopher S. Bond

PATRICK LEAHY
VERMONTCOMMITTEES:
AGRICULTURE, NUTRITION, AND
FORESTRY
APPROPRIATIONS
JUDICIARY

United States Senate

WASHINGTON, DC 20510-4502

October 21, 1996

The Honorable Kit Bond
Chairman
Senate Appropriations Subcommittee on VA, HUD and Independent Agencies
Washington, D.C. 20510

Dear Kit,

I am writing to follow up on my letter to you last April and our conversation regarding USDA sponsored AmeriCorps programs that took place during conference on the Appropriations bill for the VA, HUD and Independent Agencies.

I hope that you can provide the clarification that is needed for USDA sponsored AmeriCorps programs to continue under the leadership of local organizations and land managers. These programs have brought new volunteer efforts to every corner of rural Vermont--- areas difficult to reach through traditional nonprofit organizations.

The Department of Agriculture would like to build on the success of their AmeriCorps programs in keeping with the requirement that National Service funds should not be transferred to Federally run programs. Already local organizations play an active role in most USDA AmeriCorps programs. The Department intends to transfer authority for running all of its AmeriCorps programs to the local non-profits or land managers involved in those programs, while continuing to offer technical assistance and financial support. However, National Service education awards are needed to allow this new partnership to move forward.

To be clear, the Corporation for National Service interprets current law as allowing the Corporation "to enter into agreements with federal agencies to support national service programs, with the understanding that such agreements need not include the transfer of funds." Providing education awards for USDA sponsored programs would result in no funds being transferred to any federal agency. Those awards, like all National Service education awards would be set-aside on behalf of individual participants in the program and would go directly to approved institutions of higher education or lending agencies from the National Service Trust. The Department of Agriculture would fund all necessary costs for operating these programs and paying member stipends from funds already appropriated to it by the Congress. No "new" money is needed.

The uncertainty about providing National Service "education only" awards to participants in USDA supported programs has left around 1,000 prospective members in limbo. Equally important, the delay has left countless residents of rural areas without the assistance these members would bring to rural communities.

October 21, 1996
The Honorable Kit Bond
Page 2

The Rural Fire Protection Task Force is a good example of the benefits these programs can bring. With the assistance of the AmeriCorps Fire Technical Team, Vermont's Rural Fire Protection Task Force was able to install 44 dry fire hydrants, lowering insurance rates by about \$76 per year for 1,600 home owners living in rural areas of the state. That translates into over \$7 of savings for every \$1 spent on the program.

The AmeriCorps programs sponsored by USDA in Vermont have provided valuable assistance to poor rural residents. I hope that you will be able to provide the clarification that is needed to build on the success of these programs while we discuss options for sustaining them in the future.

Sincerely,

A handwritten signature in black ink, reading "Patrick Leahy". The signature is fluid and cursive, with the first name "Patrick" and last name "Leahy" clearly distinguishable.

PATRICK LEAHY
United States Senator

PJL/adr



To: Bonnie Lowrey, Office of Congressman Mascara

From: Joel Berg, Director of National Service, USDA

7 pages, including this cover

It seems that the consensus of the meeting last week was that that Republican Senators would have the most impact upon Bond if they suggested that he allow our projects to temporarily continue as part of a one-year transition process. he level of contact probably needs to be Senator to Senator, or at least Chief of Staff to Chief of Staff. (See attached updated fact sheet).

Also attached is updated information on the success of our Pennsylvania last year.

Please call me at (202) 720-5746 with any questions.



UNITED
STATES
DEPARTMENT
OF AGRICULTURE

To: Kevin Adam, Office of Senator McCain

From: Joel Berg, Director of National Service, USDA

7 pages, including this cover

As explained in the attached fact sheet, all USDA AmeriCorps projects planned for this year in Arizona will be canceled shortly if we can not reach an agreement with Senator Bond that would allow our projects to temporarily continue as part of a one-year transition process.

Also attached is updated information on the success of our Arizona projects last year.

Please call me at (202) 720-5746 with any questions.



UNITED
STATES
DEPARTMENT
OF AGRICULTURE

**To: Robin Bowen, Ken Upchurch
Office of Senator McConnell**

From: Joel Berg, Director of National Service, USDA

10 pages, including this cover

Attached is an updated fact sheet that explains why all USDA AmeriCorps projects planned for this year in Kentucky will be canceled shortly if we can not reach an agreement with Senator Bond that would allow our projects to temporarily continue as part of a one-year transition process. Also attached is a memo from our Kentucky Rural Development office explaining how critical projects in the state will be stopped before completion if the USDA AmeriCorps program is ended immediately.

Lastly, attached is updated information on the success of our Kentucky projects last year.

Please call me at (202) 720-5746 with any questions.



To: Debbie, Office of Congressman Murtha

From: Joel, USDA

7 pages, including this cover

Thanks for taking the time to attend the meeting last week. It seems that the consensus of the group was that Republican Senators would have the most impact upon Bond if they suggested that he allow our projects to temporarily continue as part of a one-year transition process. The level of contact probably needs to be Senator to Senator, or at least Chief of Staff to Chief of Staff.

(See attached updated fact sheet).

Also attached is updated information on the success of our Pennsylvania last year.

Please call me at (202) 720-5746 with any questions.



To: Aura Kenny, Office of Congressman Quinn

From: Joel Berg, Director of National Service, USDA

6 pages, including this cover

It seems that the consensus of the meeting last week was that that Republican Senators would have the most impact upon Bond if they suggested that he allow our projects to temporarily continue as part of a one-year transition process. he level of contact probably needs to be Senator to Senator, or at least Chief of Staff to Chief of Staff. (See attached updated fact sheet).

Also attached is updated information on the success of our New York projects last year.

Please call me at (202) 720-5746 with any questions.



UNITED
STATES
DEPARTMENT
OF AGRICULTURE

To: Eve Young, Office of Congressman Peterson

From: Joel Berg, Director of National Service, USDA

6 pages, including this cover

It seems that the consensus of the meeting last week was that that Republican Senators would have the most impact upon Bond if they suggested that he allow our projects to temporarily continue as part of a one-year transition process. he level of contact probably needs to be Senator to Senator, or at least Chief of Staff to Chief of Staff. (See attached updated fact sheet).

Also attached is updated information on the success of our Florida projects last year.

Please call me at (202) 720-5746 with any questions.



UNITED
STATES
DEPARTMENT
OF AGRICULTURE

To: Brett Bearce, Office of Cong. Schiff

From: Joel Berg, Director of National Service, USDA

7 pages, including this cover

As explained in the attached, revised fact sheet, all USDA AmeriCorps projects planned for this year in your district will be canceled shortly if we can not reach an agreement with Senator Bond that would allow our projects to temporarily continue as part of a one-year transition process.

Also attached is updated information on the success of our projects in New Mexico last year.

Please call me at (202) 720-5746 with any questions.



**To: Ed Corrigan, Mark Aldridge
Office of Senator Smith**

From: Joel Berg, Director of National Service, USDA

9 pages, including this cover

Per our recent discussion, attached is updated information on the status of the overall USDA AmeriCorps program, as well as an updated list of site accomplishments in New Hampshire in the last program year.

Our greatest current focus is determining whether Senator Bond will agree to a compromise that would allow our projects to continue as part of a one-year transition process.

Please call me at 720-5746 with any questions.



To: Kevin Mathis, Office of Senator Specter

From: Joel Berg, Director of National Service, USDA

7 pages, including this cover

Attached is an updated fact sheet that explains why all USDA AmeriCorps projects planned for this year in Pennsylvania will be canceled shortly if we can not reach an agreement with Senator Bond that would allow our projects to temporarily continue as part of a one-year transition process.

Also attached is updated information on the success of our Pennsylvania last year.

Please call me at (202) 720-5746 with any questions.



**To: George Lowe, Liz Connel
Office of Senator Stevens**

From: Joel Berg, Director of National Service, USDA

5 pages, including this cover

As explained in the attached (revised) fact sheet, the USDA AmeriCorps projects planned for this year in Alaska will be cancelled shortly if we can not reach an agreemnt with Senator Bond that would allow our projects to temporarily continue as part of a one-year transition process.

Please call me at 720-5746 with any questions.



UNITED
STATES
DEPARTMENT
OF AGRICULTURE

To: Tony DeVault, Office of Senator Thompson

From: Joel Berg, Director of National Service, USDA

7 pages, including this cover

As explained in the updated fact sheet which is attached, all USDA AmeriCorps projects planned for this year in Tennessee will be canceled shortly if we can not reach an agreement with Senator Bond that would allow our projects to temporarily continue as part of a one-year transition process.

Also attached is updated information on the success of our Tennessee projects last year.

Please call me at (202) 720-5746 with any questions.



**To: Carolyn Bourdeaux
Office of Senator Wyden**

From: Joel Berg, Director of National Service, USDA

8 pages, including this cover

Attached is updated information on the status of the overall USDA AmeriCorps program, as well as an updated list of site accomplishments in Oregon in the last program year.

Our greatest current focus is determining whether Senator Bond will agree to a compromise that would allow our projects to continue as part of a one-year transition process.

Please call me at 720-5746 with any questions.

11/18/96

FACT SHEET ON STATUS OF USDA AMERICORPS PROJECTS

Summary

In the previous two years, USDA has sponsored hundreds of AmeriCorps community development, environmental, and anti-hunger projects in over 40 states --- mostly in under-served rural areas.

A third year of the USDA AmeriCorps program was scheduled to have started on October 1, but all the projects have been placed on hold pending continued negotiation with key Congressional leaders with oversight over AmeriCorps.

Up to 1,000 people around the country --- who were either expecting to complete their second year of the program or hoping to start their first year of the program --- are waiting to determine how to proceed with their lives as negotiations continue. The hundreds of communities which were expecting to host projects are also in limbo, unable to determine whether the projects planned will still be accomplished.

USDA and the Corporation for National Service (CNS) are now seeking to reach a consensus with Senators Christopher Bond (MO) and Senator Charles Grassley (IA) to allow USDA to continue supporting AmeriCorps projects this year only, as those projects transition to a new arrangement in which they are no longer run by USDA.

If such a compromise is not reached immediately, all the projects planned for this year --- most of which are in under-served rural areas --- will be canceled.

USDA and CNS do NOT need any additional funds --- nor do they need Congress to take any formal legislative action. USDA and CNS simply need to reach an informal consensus with key members of Congress that would allow USDA to continue to aid AmeriCorps projects during one year of transition.

Changes in Funding for USDA AmeriCorps Projects

In both the 1994-1995 program year and the 1995-1996 program year, USDA sponsored community-based AmeriCorps projects throughout the country that fought hunger, protected the environment, and boosted rural community development. In both program years, the projects were supported by four sources of funding:

- 1) Corporation for National Service (CNS) funding paid for educational awards for AmeriCorps Members that successfully completed the program. *These funds were not transferred to USDA* --- they were deposited into a trust fund that will later pay the lending and/or educational institutions of AmeriCorps graduates.
- 2) CNS funds were granted from CNS to USDA, which USDA, in turn, sub-granted to local AmeriCorps projects --- principally to five anti-hunger projects.
- 3) USDA utilized money from the Department's own appropriated funds. USDA used funds from several agencies to support AmeriCorps projects that provided critical community services in areas directly related to the mission areas of those agencies.
- 4) State and local governments and private sector organizations provided matching funds. In the 1994-1995 program year, non-Federal sources provided \$1.7 million in funding to USDA-sponsored AmeriCorps projects.

However, in order to meet concerns raised by Senator Bond, Senator Grassley, and others, CNS will no longer make grants of *operating* funds to Federal agencies.

The legal result of this policy is that USDA funding source #2 --- operating funds transferred from CNS to USDA --- has been eliminated.

The few USDA AmeriCorps projects that were most dependent on this source of funding --- the five anti-hunger projects --- banded together as a consortium under the umbrella of the non-profit Congressional Hunger Center to successfully apply for funding directly from CNS.

Why A Transition Period is Needed

In the future, AmeriCorps projects previously sponsored by USDA may be funded directly by the Corporation for National and Community Service and/or by governor-appointed state commissions of national and community service.

However, CNS and state commission funds have already been committed and application deadlines have already passed for this year. **Therefore, there is no legal, financial, or logistical way to continue the projects now on hold without some form of USDA funding and involvement during a one-year transition period.**

Current Legal Status of the Program

The prohibition on the distribution of CNS operating funds (funding source #2) to Federal agencies does NOT restrict the ability of CNS to enter into cooperative agreements with Federal agencies, such as USDA, in order to provide non-financial assistance to AmeriCorps projects and provide educational awards (funding source #1) to the AmeriCorps Members in those projects.

Thus, USDA still has the *legal* ability to use their own appropriated funds (source #3) and obtain state, local, and private matching funds (source #4) to support AmeriCorps projects.

Consequently, if CNS signs a cooperative agreement providing non-monetary assistance to USDA, AmeriCorps programs sponsored by the Department will still have the legal ability to continue --- and the graduates of those projects will still be able to obtain educational awards.

Thus, new legislation and/or additional appropriations are NOT required to continue the USDA AmeriCorps program.

Agreement Sought By USDA

Even though both CNS and USDA have both the legal and financial ability to ensure that USDA can continue to support AmeriCorps projects, the Department and CNS are seeking to reach a bi-partisan *policy* agreement with key leaders in Congress that USDA will do so during a one-year transition period.

USDA and CNS are seeking at least tacit approval for such an agreement from Senator Bond and Senator Grassley.

USDA and CNS both want to be sure that members of Congress do not have even the perception that USDA and CNS are violating Congressional intent by continuing to sponsor AmeriCorps projects.

In a recent letter to Senator Leahy (VT) , Senator Bond expressed reservations about allowing USDA to continue to sponsor AmeriCorps projects. However, Senator Bond wrote that he did “agree the USDA AmeriCorps programs are beneficial and service the community well. Be assured that when Congress convenes in January, I will work with Members to ascertain new ways of funding these programs.”

Thus, there already is agreement between the Administration and Congress that new ways must be found to fund and manage such projects in the future. The only immediate issue at stake is whether such projects will be allowed to continue this year during the transition period or whether all such projects will be canceled immediately.



UNITED
STATES
DEPARTMENT
OF AGRICULTURE

To: Dennis Kaplan
From: Joel Berg JB

I thought you might be interested to see the attached letter from Congressman Goodling, Chair of the House authorizing committee over AmeriCorps, to Congressman Mascara.

The good new for us is that Goodling writes: "It is my understanding that this agreement in no way limits the Department of Agriculture from unilaterally funding AmeriCorps programs." Thus, there seems to be a bi-partisan consensus in the House that USDA *can* continue to use its own funds on AmeriCorps.

However, as is made clear in the attached letter from Senator Bond to Senator Leahy, Senator Bond--- as well as Senator Grassley --- still have reservations about USDA using its own funds to support AmeriCorps projects.

As the attached revised fact sheet indicates, if this issue is not settled almost immediately, USDA will be forced to cancel all our AmeriCorps projects planned for this year.

PERHAPS WE COULD USE THE GOODLING LETTER AS A REASON TO GO BACK TO TIM SAUNDERS AND AGAIN ASK FOR SKEEN'S HELP WITH BOND AND/OR COCHRAN ON THIS ISSUE. (Fellow New Mexican Dominici is already helping us).

Please call me at 720-5746 to discuss this.



UNITED
STATES
DEPARTMENT
OF AGRICULTURE

To: Elaine Kamarck

From: Joel Berg

9 pages, including this cover

Because USDA AmeriCorps projects have been so successful in aiding empowerment zones/enterprise communities and in reinventing government, the Vice-President's office may be particularly interested to know about the unfortunate likelihood that all such projects may soon be eliminated. (See attached letter from Secretary Glickman to Senator Bond and background memo to Carol Rasco and Bruce Reed that explains the issue in detail.)

Since I have worked full-time managing this program, if it is eliminated, I will obviously be seeking other opportunities in the Administration. In that case, I would call you to solicit your advice.

If you have any questions, call me at 720-5746.

PATRICK LEAHY
VERMONT

COMMITTEE:
AGRICULTURE, NUTRITION, AND
FORESTRY
APPROPRIATIONS
JUDICIARY

United States Senate

WASHINGTON, DC 20510-4502

October 21, 1996

The Honorable Kit Bond
Chairman
Senate Appropriations Subcommittee on VA, HUD and Independent Agencies
Washington, D.C. 20510

Dear Kit,

I am writing to follow up on my letter to you last April and our conversation regarding USDA sponsored AmeriCorps programs that took place during conference on the Appropriations bill for the VA, HUD and Independent Agencies.

I hope that you can provide the clarification that is needed for USDA sponsored AmeriCorps programs to continue under the leadership of local organizations and land managers. These programs have brought new volunteer efforts to every corner of rural Vermont--- areas difficult to reach through traditional nonprofit organizations.

The Department of Agriculture would like to build on the success of their AmeriCorps programs in keeping with the requirement that National Service funds should not be transferred to Federally run programs. Already local organizations play an active role in most USDA AmeriCorps programs. The Department intends to transfer authority for running all of its AmeriCorps programs to the local non-profits or land managers involved in those programs, while continuing to offer technical assistance and financial support. However, National Service education awards are needed to allow this new partnership to move forward.

To be clear, the Corporation for National Service interprets current law as allowing the Corporation "to enter into agreements with federal agencies to support national service programs, with the understanding that such agreements need not include the transfer of funds." Providing education awards for USDA sponsored programs would result in no funds being transferred to any federal agency. Those awards, like all National Service education awards would be set-aside on behalf of individual participants in the program and would go directly to approved institutions of higher education or lending agencies from the National Service Trust. The Department of Agriculture would fund all necessary costs for operating these programs and paying member stipends from funds already appropriated to it by the Congress. No "new" money is needed.

The uncertainty about providing National Service "education only" awards to participants in USDA supported programs has left around 1,000 prospective members in limbo. Equally important, the delay has left countless residents of rural areas without the assistance these members would bring to rural communities.

October 21, 1996
The Honorable Kit Bond
Page 2

The Rural Fire Protection Task Force is a good example of the benefits these programs can bring. With the assistance of the AmeriCorps Fire Technical Team, Vermont's Rural Fire Protection Task Force was able to install 44 dry fire hydrants, lowering insurance rates by about \$76 per year for 1,600 home owners living in rural areas of the state. That translates into over \$7 of savings for every \$1 spent on the program.

The AmeriCorps programs sponsored by USDA in Vermont have provided valuable assistance to poor rural residents. I hope that you will be able to provide the clarification that is needed to build on the success of these programs while we discuss options for sustaining them in the future.

Sincerely,

A handwritten signature in black ink, reading "Patrick Leahy". The signature is stylized with a large, sweeping "P" and a cursive "Leahy".

PATRICK LEAHY
United States Senator

PJL/adr



UNITED
STATES
DEPARTMENT
OF AGRICULTURE

To: Hank Oltman

From: Joel Berg

9 pages, including this cover

FYI, letter from Secretary Glickman sent today to Senators Bond, Mikulski, and Grassley, as well as a memo he sent to Carol Rasco and Bruce Reed.

MARGE ROUKEMA, NEW JERSEY
 STEVE GUNDEPSON, WISCONSIN
 MAURE W. J. ILL. ILLINOIS
 CASS BALLENGER, NORTH CAROLINA
 BILL BARRETT, NEBRASKA
 RANDY "DUKE" CUNNINGHAM, CALIFORNIA
 PETE MOEKSTRA, MICHIGAN
 HOWARD P. "BUCK" MCKEON, CALIFORNIA
 MICHAEL N. CASTLE, DELAWARE
 JAN MEYERS, KANSAS
 SAM JOHNSON, TEXAS
 JAMES M. TALENT, MISSOURI
 JAMES C. GREENWOOD, PENNSYLVANIA
 TIM HUTCHINSON, ARKANSAS
 JOSEPH K. KNOLLENBERG, MICHIGAN
 FRANK D. RIGGS, CALIFORNIA
 UNDEBY O. GRAHAM, SOUTH CAROLINA
 DAVE WELDON, FLORIDA
 DAVID FUNDERBURK, NORTH CAROLINA
 MARK SOUDER, INDIANA
 DAVID MCINTOSH, INDIANA
 CHARLIE NORWOOD, GEORGIA



COMMITTEE ON ECONOMIC AND EDUCATIONAL OPPORTUNITIES

U.S. HOUSE OF REPRESENTATIVES

2181 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-8100

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MAJORITY - (202) 225-6627
 (TTY) - (202) 225-2372
 MINORITY - (202) 225-3726
 (TTY) - (202) 225-3113

November 15, 1996

The Honorable Frank Mascara
 1531 Longworth House Office Building
 Washington, DC 20515

Dear Frank:

Thank you for your letter concerning the beneficial work of the AmeriCorps members serving in your district under two Department of Agriculture sponsored AmeriCorps programs. I, too, have noticed the beneficial work of AmeriCorps members serving in my district, and around the country.

As I'm sure you are aware, the issue of funding for AmeriCorps has been quite contentious this past year. However, the decision to discontinue funding of federally sponsored AmeriCorps programs, such as those sponsored by the Department of Agriculture, is the result of an agreement reached between Harris Wofford, the CEO of the Corporation for National Service, and Senator Grassley. This action was not taken by this Committee and I was not a part of the negotiations that led to the final agreement. However, it is my understanding that this agreement in no way limits the Department of Agriculture from unilaterally funding AmeriCorps programs. Instead, the agreement merely limits the Department's ability to "directly" sponsor such programs.

Furthermore, the language contained in the Omnibus Consolidated Appropriation's Act of 1996, H.R. 3610, allows the Departments of Agriculture and Interior to fund AmeriCorps programs, but only after making the required reprogramming requests (which apparently had not been done in the past). In short, I would expect that the programs operating in your district will continue to operate unless the Department of Agriculture or the Appropriation's Committee opt to cease their funding of these programs. In either case, this decision would be out of the control of this Committee. Therefore, I would urge you to contact the Department of Agriculture and the Committee on Appropriations with this concern.

While I have serious questions about the current operations of the Corporation for National Service and its premier program, AmeriCorps, I believe that this Congress can, and will, find a better way to encourage and support community service during the coming year. Your input into this matter is greatly appreciated.

Thank you for sharing your views with me on this very important issue.

Sincerely,

A handwritten signature in black ink, appearing to read "Bill", written over the printed name.

BILL GOODLING
Chairman

WFG/dam

FRANK MASLARA
20TH DISTRICT, PENNSYLVANIA1531 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-4665**Congress of the United States**
House of Representatives
Washington, DC 20515-3820TRANSPORTATION AND
INFRASTRUCTURE COMMITTEE
SURFACE TRANSPORTATION
PUBLIC BUILDINGS
AND ECONOMIC DEVELOPMENT
VETERANS' AFFAIRS COMMITTEE
EDUCATION, TRAINING, EMPLOYMENT
AND HOUSING

October 9, 1996

The Honorable William F. Goodling
Chairman
House Committee On Economic
And Educational Opportunities
2181 RHOB
Washington, D.C. 20515

Dear Chairman Goodling:

I am writing to urge that you make every effort to reach an agreement with Department of Agriculture officials so that several every successful AmeriCorps programs operating in my District can continue in Fiscal 1997.

Over this past year, a program, involving 10-12 young people, established and ran a very successful food program in Fayette County that included gleaning and community gardening projects, as well as an educational component that taught needy residents about effective nutrition. Another Fayette County program, overseen by USDA's Rural Development Agency, utilized five young adults who helped low-income citizens file for home loans, worked on designing the National Road Visitors' Center, and organized and assisted in running clean-up projects of junk yards and trails near the National Road.

Local officials involved with both of these efforts have repeatedly praised the Corps volunteers and spoken highly of the quality of their work. They are deeply interested in ensuring they can count on both of these projects providing assistance in the coming months. As a result, I would implore you to work out the needed understanding with Department of Agriculture officials that will allow the Department to continue to play a role in such important AmeriCorps programs.

DISTRICT OFFICES
(800) 213-5570Greene Co. Ofc. Bldg.
93 E. High St. Rm. 303
Waynesburg, PA 15370
(412) 852-218247 East Penn Street
Uniontown, PA 15401
(412) 437-607896 North Main Street
Washington, PA 15301
(412) 228-43263093 Washington Pike
Bridgeville, PA 15017
(412) 220-9048Municipal Bldg. Room 103
326 Ellowfield Avenue
Charlottesville, PA 15022
(412) 483-9016

I want to thank for your time and attention and your assistance in resolving this problem which directly impacts many citizens of my District.

Very truly yours,

A handwritten signature in black ink, appearing to read "Frank Mascara". The signature is fluid and cursive, with a long horizontal stroke at the end.

Frank Mascara
Member of Congress

FM:bml

ARLEN SPECTER
PENNSYLVANIACOMMITTEES:
INTELLIGENCE
JUDICIARY
APPROPRIATIONS
VETERANS' AFFAIRS

United States Senate

WASHINGTON, DC 20510-3802

September 19, 1996

The Honorable Christopher S. Bond
Chairman
Subcommittee on VA, HUD and Independent Agencies
Committee on Appropriations
United States Senate
Washington, DC 20510

Dear Kit:

It has just been brought to my attention that a funding issue has arisen concerning the role of the United States Department of Agriculture in various AmeriCorps projects.

I am advised that an AmeriCorps program in Fayette County, Pennsylvania has six students who are prepared to commence work to rehabilitate housing and to mitigate pollution, which is vital to economic development in that region. I would appreciate your help to see that all necessary steps are taken to allow these six AmeriCorps students to commence work.

I understand you recently met with Secretary Glickman on the broad issue of the United States Department of Agriculture involvement in AmeriCorps. I am hopeful that this matter will be resolved promptly so the Fayette County work of AmeriCorps personnel can proceed.

As always, I appreciate your assistance on this matter and wish to thank you for your personal consideration.

Sincerely,


Arlen Specter

PRINTED ON RECYCLED PAPER

JOHN P. MURTHA
12TH DISTRICT, PENNSYLVANIA

COMMITTEE
APPROPRIATIONS

Congress of the United States
House of Representatives
Washington, DC 20515-3812

November 21, 1996

Senator Christopher S. Bond
U.S. Senate
293 Russell Building
Washington, D.C. 20510

Dear Senator Bond:

I'm writing to you out of concern over the potential loss of some USDA Americorps projects in southwestern Pennsylvania that have been very successful in contributing to the area's economic development. I understand Senator Specter has also written to you previously about the USDA Americorps team in Fayette County, Pennsylvania, where the unemployment rate is over 10% and over 20% of residents live below the poverty level. Fayette County is part of the Congressional district I represent.

I know you've had some concerns over the USDA's funding of these projects. However, I ask you to reconsider allowing the USDA to fund its Americorps projects for the coming year. It is my understanding that the USDA and the Corporation for National Service are offering to make this the last year in which the USDA will administer the programs and that they will use this year to transition to a direct, non-profit funding mechanism for those programs.

We're down to the wire in terms of being able to get this year's projects under way. Soon there won't be enough time left for the students to complete the number of hours of service to fulfill the requirements of the program. In an area with such high unemployment and poverty levels, the program has given invaluable opportunity to these kids. They've been waiting for their jobs to start and will be left hanging—it will be too late for them to pursue other options, which are few and far between.

Additionally, there are projects that were begun last year on which work was expected to continue this year but which now remain unfinished. The work done thus far will have been wasted if it is not followed through this year to its completion.

I appreciate your assistance on this issue.

Sincerely,


JOHN P. MURTHA
Member of Congress

JOHN McCAIN
ARIZONA

COMMITTEE ON ARMED SERVICES
COMMITTEE ON COMMERCE, SCIENCE,
AND TRANSPORTATION
COMMITTEE ON GOVERNMENTAL AFFAIRS
COMMITTEE ON INDIAN AFFAIRS

United States Senate

November 4, 1996

Mr. Vince Ancell
Director
Department of Agriculture
Office of Congressional Relations
ADMBG, Room 213-A
Washington, D.C. 20250-0001

Dear Mr. Ancell:

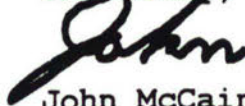
I wish to bring to your attention a matter concerning my constituent, Helen Crofford, who has expressed her concerns regarding potential changes to Department of Agriculture /Americorps partnerships.

Please investigate, in accordance with existing rules, regulations, and ethical guidelines, the statements made in the enclosed letter and return the response to me at the following address:

Attn: Kevin Adam
Office of Senator John McCain
1839 S. Alma School Rd.
Suite 375
Mesa, AZ 85210

The response you provide will be greatly appreciated and will be forwarded to my constituent. If you should have any questions, please contact my office at (602) 491-4300. I look forward to your reply at your earliest convenience.

Sincerely,



John McCain
United States Senator

JM/zka
Enclosure

241 RUSSELL SENATE OFFICE BUILDING
WASHINGTON, DC 20510-0303
(202) 224-2235
1839 SOUTH ALMA SCHOOL ROAD
SUITE 375
... MESA, AZ 85210
(602) 491-4300
2400 EAST ARIZONA
BILTMORE CIRCLE
SUITE 1150
PHOENIX, AZ 85016
(602) 952-2410
450 WEST PASEO REDONDO
SUITE 200
TUCSON, AZ 85701
(520) 670-8334
TELEPHONE FOR HEARING IMPAIRED
(202) 224-7132
(602) 952-0170



DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20250

December 19 1996

MEMORANDUM

To: CAROL RASCO, ASSISTANT TO THE PRESIDENT FOR DOMESTIC
POLICY

BRUCE REED, ASSISTANT TO THE PRESIDENT FOR DOMESTIC
POLICY PLANNING

From: Dan Glickman, Secretary of Agriculture

Subject: USDA Projects Utilizing AmeriCorps in Jeopardy

Issue:

The USDA projects utilizing AmeriCorps that are planned for this year will be canceled on December 18, 1996 if the Administration can not reach a compromise to allow the program to continue with Senator Christopher Bond, Chair of the Senate Appropriations Subcommittee on VA, HUD, and Independent Agencies, who has opposed USDA support of such projects.

While I have kept the White House apprised of this matter through my weekly reports to the Chief of Staff, the issue now requires immediate resolution --- either positive or negative. Thus, I am using this memorandum to explain the issue in greater depth.

Background on the Program:

In the previous two years, USDA has sponsored hundreds of highly successful AmeriCorps anti-hunger, rural development, environmental protection, and food recovery projects in 45 states. Providing service opportunities for over 2,000 AmeriCorps members over the first two program years, the USDA program was not only, by far, the largest AmeriCorps program run by a Cabinet agency, it was also the largest single component of the entire AmeriCorps program.

Unlike most AmeriCorps programs run by Federal agencies, which were funded almost entirely by grant monies from the Corporation for National Service (CNS), the USDA program was funded almost entirely from USDA's own appropriated funds.

Most of the projects were in under-served rural communities, including all three rural Empowerment Zones and most rural Enterprise and Champion Communities.

In the first year of operation, the USDA AmeriCorps program provided direct service to 828,000 citizens and made improvements on 234,000 acres of land. In a visit to California on February 14, 1996, President Clinton met with a USDA AmeriCorps member serving on the San Bernardino National Forest; in his subsequent speech that day, the President specifically praised the Forest Service AmeriCorps project.

USDA AmeriCorps projects pioneered cost-effective ways to feed hungry people and boost rural America. USDA AmeriCorps rural fire protection projects saved rural homeowners an estimated \$48 million in one year, by reducing fire insurance rates for homeowners. Given that the total Federal cost for these projects --- including tools, equipment, construction materials, AmeriCorps stipends, and AmeriCorps educational awards --- was \$1.7 million, the projects returned \$27 to rural homeowners for every dollar spent on the program by the Federal government.

This summer, USDA sponsored 22 special AmeriCorps "Summer of Gleaning" food recovery projects in 22 states that worked in partnership with hundreds of locally based anti-hunger groups, youth service corps, food banks, churches, and food recovery organizations. The AmeriCorps members in this summer program helped recover over 1,005 tons of food which provided an estimated 1.34 million meals. Since the total Federal budget for this summer program --- including transportation and storage of food and stipends and educational awards for the AmeriCorps members --- was only \$430,000, the total Federal cost per meal provided was only 31 cents.

Furthermore, the 88 AmeriCorps members in the summer program recruited over 1,600 non-compensated community volunteers who helped pick, sort, deliver, and prepare the recovered foods. Thus, on average, each USDA AmeriCorps member recruited 18 non-compensated community volunteers. As you know, President Clinton specifically praised this AmeriCorps food recovery program in his November 23 radio address.

Previous Funding Sources for USDA AmeriCorps Projects

In order to understand why the USDA AmeriCorps program may end, it is important to understand the four sources of funding for the first two years of the program (the 1994-1995 program year and the 1995-1996 program year):

- 1) Corporation for National Service (CNS) funding paid for educational awards for AmeriCorps members that successfully completed the program. *These funds were not transferred to USDA*; they were deposited into a trust fund that will later pay the lending or educational institutions of AmeriCorps graduates.
- 2) A relatively small amount of CNS funds were granted from CNS to USDA, which USDA, in turn, sub-granted to local AmeriCorps projects --- principally to five anti-hunger projects.

3) USDA utilized money from the Department's own appropriated funds. USDA used funds from several agencies to support AmeriCorps projects that provided critical community services in areas directly related to the mission areas of those agencies.

4) State and local governments and private sector organizations provided matching funds. In the 1994-1995 program year, non-Federal sources provided \$1.7 million in funding to USDA-sponsored AmeriCorps projects.

However, in order to meet concerns raised by Senator Bond and Senator Grassley, CNS CEO Harris Wofford agreed last Spring that CNS will no longer make grants of *operating* funds to Federal agencies. This agreement was codified by Congress in both the FY96 and FY97 appropriations to CNS. The legal result of this policy is that USDA funding source #2 --- operating funds transferred from CNS to USDA --- has been eliminated.

The few USDA AmeriCorps projects that were most dependent on this source of funding --- the five anti-hunger projects --- banded together as a consortium under the umbrella of the non-profit Congressional Hunger Center to successfully apply for funding directly from CNS.

Current Legal Status of the Program

The prohibition on the distribution of CNS operating funds (funding source #2) to Federal agencies does not restrict the ability of CNS to enter into cooperative agreements with Federal agencies, such as USDA, in order to provide non-financial assistance to AmeriCorps projects and provide educational awards (funding source #1) to the AmeriCorps members in those projects.

The only possible restriction on such funding has been placed on the USDA by the Interior Appropriations Bill, which requires USDA to follow appropriate reprogramming guidelines in order to fund Forest Service AmeriCorps projects.

Overall, USDA still has the *legal* ability to use the its own appropriated funds (source #3) and obtain state, local, and private matching funds (source #4) to support AmeriCorps projects.

However, over the Summer, Harris Wofford and I agreed that we would not start a third year of the USDA AmeriCorps program unless Senator Bond agreed that it was appropriate for USDA to use its own funds to do so. Subsequently, on September 13, I met with Senator Bond, who asked that we defer discussion of this issue until the FY97 appropriations for CNS were finalized.

The Program is Now on Hold

A third year of the USDA AmeriCorps program was scheduled to have started on October 1, but all the projects have been placed on hold pending continued negotiations with Senator Bond. All prospective AmeriCorps members are on hold, as are the hundreds of communities expecting this service.

Senator Bond's Most Recent Position

Senator Leahy recently wrote a letter to Senator Bond (attached), requesting some clarification on how USDA AmeriCorps projects might be able to proceed. In a letter of response to Leahy (attached), Bond still indicated that he had reservations about USDA spending funds on AmeriCorps:

"After reviewing your proposal to allow the U.S. Department of Agriculture (USDA) to use its own appropriated funds to support AmeriCorps projects, I fear that this approach is contrary to the objectives we have pursued to reform AmeriCorps to generate support for funding of AmeriCorps."

However, Bond's letter to Leahy did seem to keep the door open for some future compromise:

"I understand your objective and agree the USDA AmeriCorps programs are beneficial and serve the community well. Be assured that when Congress convenes in January, I will work with Members to ascertain new ways of funding these programs."

Senator Grassley --- with whom Harris Wofford reached an agreement to reform certain aspects of AmeriCorps in exchange for Grassley's support of the overall AmeriCorps program --- has also opposed USDA spending its own funds on AmeriCorps. (See attached letter).

There Is No Current Problem with the House of Representatives on This Issue

The most relevant committee chairs in the House have not opposed USDA spending its own funds on AmeriCorps.

Congressman Jerry Lewis, Chair of the House Appropriations Subcommittee on VA, HUD, and Independent Agencies, and Congressman Joe Skeen, Chair of the House Appropriations Subcommittee on Agriculture, have not objected to USDA spending the Department's own funds on AmeriCorps.

Congressman Bill Goodling, Chair of the House Economic and Educational Opportunities Committee --- the authorizing committee over AmeriCorps --- also holds a favorable position, writing: "It is my understanding that this agreement (Wofford's agreement with Grassley) in no way limits the Department of Agriculture from unilaterally funding AmeriCorps programs." (See attached letter).

Congressional Support for the Program

The following Members of the Senate or their staff have contacted USDA by phone or by mail asking us to find ways to continue AmeriCorps projects in their state: Phil Gramm, Kay Bailey Hutchinson, John McCain, Pete Dominici, Dirk Kempthorne, Larry Craig, Ben Nighthorse Campbell, Spencer Abraham, Jim Jeffords, Olympia Snowe, Bill Cohen, Mark Hatfield, Arlen Specter, Mitch McConnell, Patrick Leahy, Paul Wellstone, Paul Sarbanes, Jeff Bingaman, Chuck Robb, Tom Daschle, Patty Murray, Bob Graham, Ron Wyden, Diane Feinstein, and Carl Levin.

The following Members of the House of Representatives or their staff have contacted USDA by phone or by mail asking us to find ways to continue AmeriCorps projects in their districts: Doug Bereuter and Jack Quinn, John Murtha, Frank Mascara, Frank Pallone, Earl Blumenauer, Elizabeth Furse, John Baldacci, John Dingell, Mike McNulty, Jack Reed, James Clyburn, Pete Peterson, Tony Hall, Pat Danner, Frank Tejeda, Norm Dicks, Richard Durbin, Steny Hoyer, Lynn Woolsey, and Colin Peterson.

Relevant Congressional correspondence is attached.

Some of these Congressional offices have suggested that all USDA projects could continue immediately by applying directly to the Corporation for National Service (CNS) or state commissions on national service. As of next year (the 1997-1998 program year), this may occur. However, CNS and state commission funds have already been committed and application deadlines have already passed for this year (the 1996-1997 program year). Thus, this option can help start new projects *next* program year, but is not relevant to projects planned for *this* program year.

Therefore, there is no legal, financial, or logistical way to continue the projects now on hold without some support from USDA for at least one year of transition.

Final Request to Senator Bond

I have just sent the attached letter to Senator Bond, Senator Mikulski, the Ranking Democratic Member on the Subcommittee, and Senator Grassley, requesting that they agree to allow USDA to continue funding and supporting AmeriCorps projects for a one year "grace period."

This one year reprieve would allow local projects to transition into a new arrangement, starting next year, in which they would receive funding directly from the CNS or from state commissions of national service.

Bond would simply need to personally agree to this compromise. Since USDA already has the legal ability to fund AmeriCorps projects, no additional appropriations or authorizations are required.

Need for Immediate Resolution to This Matter

Senator Bond has suggested that Congress could take up this matter early in the next session; unfortunately, that would be too late to solve the current dilemma.

To obtain full educational awards, USDA AmeriCorps members in this program year would have to perform 1,700 hours of service by the end of this fiscal year on September 31, 1997. In order to sponsor a program this year, it would need to start almost immediately.

Thus, if we can not reach a resolution on this issue by December 31, 1996, the entire USDA AmeriCorps program will be immediately canceled.

I thank you for your attention to this matter.



DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20250

December 19, 1996

Honorable Charles E. Grassley
United States Senate
135 Hart Senate Office Building
Washington, D.C. 20510-1501

Dear Chuck:

I am writing to request your support for an agreement under which the Department of Agriculture (USDA) would be able to continue to assist projects utilizing AmeriCorps members for a transitional period of one program year (fiscal year 1997). Such an agreement would enable the most successful of these projects to convert to a new arrangement, starting in the next program year (fiscal year 1998), in which they would receive funding directly from the Corporation for National Service or from Governor-appointed State commissions of national service.

As you know, in the past 2 years, USDA has provided aid to hundreds of communities--most of which are rural--to allow those communities to utilize AmeriCorps members for projects focused on fighting hunger, promoting economic development, and aiding the environment and public lands. As we discussed in our meeting on September 13, 1996, USDA is continuing to seek a compromise that would allow high quality local projects to continue now that USDA no longer receives a grant of operating funds from the Corporation for National Service.

Hundreds of USDA supported community service projects in over 40 States were scheduled to be completed this year. As in previous years, these projects would have focused on boosting rural community development, improving human nutrition, and protecting the environment. AmeriCorps members would have also worked to recover excess food; I would note that such efforts would be greatly enhanced by the Bill Emerson Food Donation Act that you championed in the Senate. However, all these projects have been placed on hold pending our efforts to identify a mutually-acceptable compromise regarding the future of community service projects previously supported by USDA.

It has been suggested that Congress could consider this matter early next year. Unfortunately, unless we are able to reach a resolution on this issue by December 31, 1996, the projects planned for this year cannot proceed, because AmeriCorps members would not be able to complete the required 1,700 hours term of service by the end of this fiscal year on such an abbreviated schedule.

Corporation for National Service and state commission funds have already been committed and application deadlines have already passed for this year (fiscal year 1997). Thus, it will not be possible to continue the projects now on hold without some financial and logistical support from USDA for at least 1 year of transition.

Pursuant to the mandate of Congress, the Corporation for National Service is no longer making grants to Federal agencies; USDA is not seeking to obtain such a grant. Rather, USDA is requesting that the Corporation for National Service sign a 1-year cooperative agreement providing non-monetary assistance to USDA, enabling service projects supported and paid for by USDA to have the legal ability to continue and the graduates of those projects to be able to obtain educational awards.

I hope you will agree that a 1-year transition period is a sensible compromise that would minimize disruption in hundreds of communities across America, particularly rural America, by changes in the role of USDA in supporting projects utilizing AmeriCorps members.

A substantial bipartisan group of Members of the Senate and the House of Representatives have contacted USDA and the Corporation for National Service to request that we find some way to continue the effective community service projects in their States and districts. Therefore, I believe there would be significant bipartisan support in both houses of Congress for the compromise we have proposed.

I would greatly appreciate your prompt response in this matter. If you have any questions, please do not hesitate to contact me. An identical letter has been sent to Senators Bond and Mikulski.

Sincerely,

DAN GLICKMAN
Secretary

 *** ACTIVITY REPORT ***

ST. TIME	CONNECTION TEL/ID	SENDER NAME	NO.	MODE	PGS.	RESULT
12/13 13:28			5317	AUTO RX G3	1	OK 00'55
12/13 15:19	202 245 5521		5318	AUTO RX ECM	2	OK 01'02
12/13 16:25	94566023		0382	TRANSMIT ECM	8	OK 03'24
12/13 16:29	93019038134		0383	TRANSMIT	0	NG 00'00
					0	STOP
12/13 16:31	US DOE EM-23		0384	TRANSMIT ECM	3	OK 01'10
	93019034979					
12/13 16:32	93019038134		0381	TRANSMIT	0	NG 00'00
					0	#018
12/16 10:59	4017420		0385	TRANSMIT ECM	3	OK 01'10
12/16 11:00	6904915		0386	TRANSMIT ECM	3	OK 00'56
12/16 12:16	1 402 582 3799		5319	AUTO RX ECM	1	OK 00'50
12/16 13:36			5320	AUTO RX G3	1	OK 01'07
12/16 15:26	919199564600		0387	TRANSMIT ECM	3	OK 01'20
12/16 16:14	613095433154		0388	TRANSMIT	0	NG 00'00
					0	STOP
12/16 16:15	913095433154		0389	TRANSMIT ECM	2	OK 00'46
12/17 10:31	3956721		0390	TRANSMIT	0	NG 00'00
					0	STOP
12/17 10:38	3956721		0391	TRANSMIT	0	NG 00'00
					0	#018
12/17 10:39	5012135		0392	TRANSMIT	0	NG 00'00
					0	#018
12/17 10:40	3956721		0393	TRANSMIT	0	NG 00'00
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12/17 10:47	ETA/OSTP		0394	TRANSMIT ECM	3	OK 01'08
	2196338					
12/17 10:55	92023956721		0397	TRANSMIT	0	NG 00'00
					0	STOP
12/17 10:56	3956721		0395	TRANSMIT	0	NG 00'00
					0	#018
12/17 10:58	3956744		0396	TRANSMIT	0	NG 00'00
					0	#018
12/17 11:04	92023956744		0398	TRANSMIT	0	NG 00'00
					0	#018
12/18 09:49	CNCS ONSP 9th Fl		0399	TRANSMIT ECM	7	OK 03'56
	95652786					
12/19 09:24	COMM-ASSISTANCE		0400	TRANSMIT ECM	1	OK 00'30
	6900639					
12/19 09:30	304 291 4032		5321	AUTO RX ECM	2	OK 01'08
12/19 10:36	92450136		0402	TRANSMIT ECM	2	OK 00'46
12/19 10:41	92455052		0401	TRANSMIT	0	NG 00'00
					0	#018
12/19 13:05	NCCC		5322	AUTO RX ECM	1	OK 00'35
	202 565 2792					
12/19 13:53	COMM-ASSISTANCE		0403	TRANSMIT ECM	1	OK 00'32
	6900639					
12/19 20:42	5093351676		5323	AUTO RX ECM	2	OK 00'47
12/20 10:19	ERB BR NHQ		0404	TRANSMIT ECM	7	OK 03'36
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12/20 10:23	915093351676		0405	TRANSMIT ECM	2	OK 00'45
12/20 13:06	SENATOR BOND		0406	TRANSMIT ECM	3	OK 01'28
	92248149					
12/20 13:08	SEN/MIKULSKI		0407	TRANSMIT ECM	3	OK 01'01
	92284513					



UNITED
STATES
DEPARTMENT
OF AGRICULTURE

To: Amy Rainone

From: Joel Berg

3 pages, including this cover

FYI, this letter was sent was sent last week from Secretary Glickman to Senators Bond, Grassley, and Mikulski.

As stated in the letter, USDA will be forced to cancel all its community-based AmeriCorps projects planned for this year on December 31 if a compromise on this matter cannot be reached.

If you have any questions, call me at 720-5746.



UNITED
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**To: Mike Bagley, Office of
Congressman Dicks**

From: Joel Berg, USDA

8 pages, including this cover

As explained in the attached fact sheet, all USDA AmeriCorps projects --- including all Forest service projects -- have been placed on hold pending an agreement with Senators Bond and Grassley.

On December 19, 1996, Secretary Glickman wrote to Senators Bond, Grassley, and Mikulski, which requested a response by December 31, 1996 on this matter. We have, to date, received no response to the letter.

Unfortunately, if no response is received within the next few days, we will be forced to cancel all the projects planned. If you have any questions, call me at 202-720-5746.

FRENCH FOOD COMPANY RECALLS MEALS CONTAINING BRITISH BEEF (135 Reuter, AP 12/23, Journal of Commerce 12/24) A French food company recalled some prepared meals because they were made before imports of British beef were banned as a precaution against BSE. Meanwhile, France banned the import of beef from Switzerland, which has the second highest incidence of BSE, and France recorded its 25th case of BSE in the past six years.

EDITORIAL AND OPINION

END TO CORPORATE WELFARE WANTED (136 Washington Times 12/24) A columnist says that government benefits and subsidies to corporations are a payoff for political contributions. He cites the U.S. sugar program as an example that adds costs to consumers' food bills while providing millions to sugar producers who give generously to political parties. He also says the Market Promotion Program (sic) provides millions to firms such as E&J Gallo who then pour funds into campaign coffers. He also examines the political contributions of Archer Daniels Midland, the firm that benefits highly from ethanol subsidies. The writer urges Congress to boot all the corporate welfare queens out from under the Christmas Tree.

ACTIONS OF ANTI-BIOTECH ACTIVISTS ASSESSED (137 Journal of Commerce 12/24) A columnist examines Greenpeace's protest against genetically altered soybeans, as well as industry and government reaction. He notes that the anti-gene campaigns in several EU countries have soured public opinion against such products and says chances are the protests will spread.

BENEFITS OF URBAN AGRICULTURE (138 Des Moines Register 12/22 or 23) A columnist notes the 17th annual meeting of the American Community Gardening Association and praises the work of organizations promoting gardening on vacant land within cities. He says the gardens give inner city children a chance to experience nature and produce quality food. He notes a HUD program and other organizations that support community gardens.

FARMERS SELL TOO CHEAPLY (139 Des Moines Register 12/23) A letter writer says USDA statistics indicate the price of corn and soybeans should be at least double what they are now considering land costs, input costs, upkeep and living expenses. He is mostly critical of the concept of raising cheap hogs to keep packing plants operating, saying that leads to hog factories that destroy the environment and the family farmer.

USDA RELEASES

To obtain a release: From your fax, call (202) 690-3944 and follow the voice prompts.
Or, access USDA's Home Page at <http://www.usda.gov>

1436 FAS: USDA REPORTS PRICE SUPPORT LOAN ACTIVITY AS OF DEC. 17, 1996

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To: Catriona MacDonald

From: Joel Berg

3 pages, including this cover

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To: Mitch Warren

From: Joel Berg

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To: Liz Connel

From: Joel Berg

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**To: Raissa Quintal
Mike Russell**

From: Joel Berg

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**To: Robin Bowen
Ken Upchurch**

From: Joel Berg

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To: Tom Frazier

From: Joel Berg

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To: Kate Lambrew

From: Joel Berg

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To: Tom Geier

From: Joel Berg

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To: Aura Kenny

From: Joel Berg

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To: Mark Aldridge

From: Joel Berg

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To: Jeff Shockey

From: Joel Berg

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To: Jamie Castillo

From: Joel Berg

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To: Michael Gerber

From: Joel Berg

3 pages, including this cover

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To: Sherry Kaiman

From: Joel Berg

3 pages, including this cover

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To: Kevin Mathis

From: Joel Berg

3 pages, including this cover

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To: Bob Richard

From: Joel Berg

3 pages, including this cover

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To: Joe Trujillo

From: Joel Berg

3 pages, including this cover

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To: Carolyn McGuire

From: Joel Berg

3 pages, including this cover

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To: Brian Hall

From: Joel Berg

3 pages, including this cover

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To: Jodi Smith

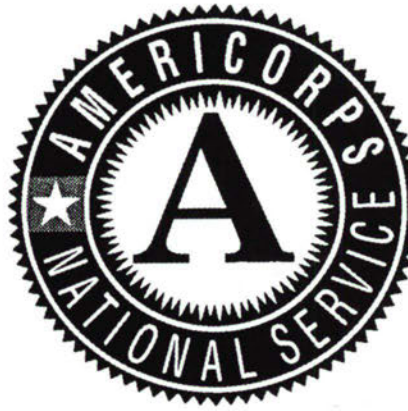
From: Joel Berg

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To: Steve Crowley

From: Joel Berg

3 pages, including this cover

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To: Marla Marvin

From: Joel Berg

3 pages, including this cover

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To: Eric Falls

From: Joel Berg

3 pages, including this cover

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If you have any questions, call me at 202-720-5746.



UNITED
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To: Wayne

From: Joel Berg

3 pages, including this cover

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UNITED
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To: Carolyn Bourdeaux

From: Joel Berg

3 pages, including this cover

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To: Robert Foust

From: Joel Berg

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To: Rebecca Donovan

From: Joel Berg

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To: Johnathan Davidson

From: Joel Berg

3 pages, including this cover

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UNITED
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To: Colin McGinnis

From: Joel Berg

3 pages, including this cover

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UNITED
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To: Amy Lothar

From: Joel Berg

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DEPARTMENT
OF AGRICULTURE

To: Mark Halverson

From: Joel Berg

3 pages, including this cover

FYI, this letter was sent was sent last week from Secretary Glickman to Senators Bond, Grassley, and Mikulski.

As stated in the letter, USDA will be forced to cancel all its community-based AmeriCorps projects planned for this year on December 31 if a compromise on this matter cannot be reached.

If you have any questions, call me at 202-720-5746.



UNITED
STATES
DEPARTMENT
OF AGRICULTURE

To: Glen Ivy

From: Joel Berg

3 pages, including this cover

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UNITED
STATES
DEPARTMENT
OF AGRICULTURE

To: Bonnie Lowrey

From: Joel Berg

3 pages, including this cover

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UNITED
STATES
DEPARTMENT
OF AGRICULTURE

To: Farah Press

From: Joel Berg

3 pages, including this cover

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UNITED
STATES
DEPARTMENT
OF AGRICULTURE

To: Bob Zachritz

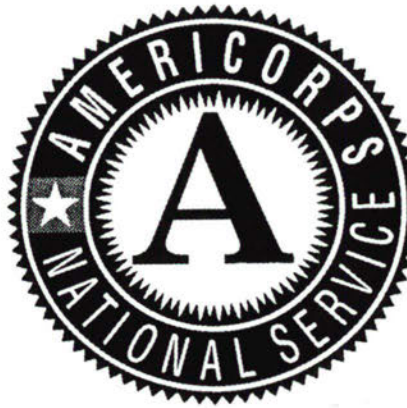
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UNITED
STATES
DEPARTMENT
OF AGRICULTURE

**To: Elizabeth Humphrey
Christine Eagan**

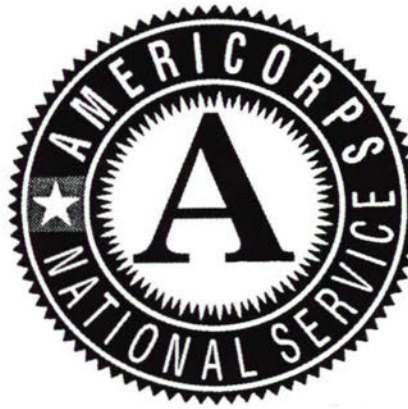
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UNITED
STATES
DEPARTMENT
OF AGRICULTURE

To: Debi Tekavec

From: Joel Berg

3 pages, including this cover

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UNITED
STATES
DEPARTMENT
OF AGRICULTURE

To: Russ McGuirk

From: Joel Berg

3 pages, including this cover

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UNITED
STATES
DEPARTMENT
OF AGRICULTURE

**To: Alex Fisher
 Heather Westlund**

From: Joel Berg

3 pages, including this cover

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UNITED
STATES
DEPARTMENT
OF AGRICULTURE

To: Linda Theil

From: Joel Berg

3 pages, including this cover

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UNITED
STATES
DEPARTMENT
OF AGRICULTURE

To: Ashley Abbott

From: Joel Berg

3 pages, including this cover

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Summer of Gleaning Senate and House List

✓ California-Rural Development

Senate

Barbara Boxer
Diane Feinstein

Counties: Monterey, Santa Cruz, San Bernito, Kings

House

Sam Farr--District 17
Cal Dooley--District 20

✱ Connecticut-Rural Development

Senate

Christopher Dodd
Joseph Lieberman

✱ Counties: Hartford, New Haven

actual gleaning in these counties -

House

Barbara Kennelly--District 1
Rosa DeLauro--District 3

*Gleaned food distributed through food banks
was ultimately distributed state wide -*

✱ Illinois-Farm Service Agency

Senate

Paul Simon
Carol Mosley-Braun

Counties: Mason, Alexander, Gallatin, St. Clair

House

Jerry Costello(D-12)
Ray La Hood(R-18)
Glen Poshard(D-19)

✱ *+ Cong. District #8 in IN (the go. IL project delivered some food to Indiana)*

✓ Indiana-Rural Development and Farm Service Agency

Senate

Carroll,
Richard Lugar
Dan Coats
Henry,

Counties: Vanderburgh, Benton, Blackford, Boone,

Cass, Clay, Clinton, Delaware, Fountain, Grant,
Greene, Hamilton, Hancock, Hendricks,

Howard, Jay, Johnson, Knox, Madison,

Marion,

House

David McIntosh--District 2

Mark Edward Souder--District 4

Steve Bluyer--District 5

Dan Burton--District 6

John Myers--District 7

John Hostettler--District 8

Andy Jacobs--District 10

Miami, Montgomery, Morgan, Parke, Putnam,
Randolph, Sullivan, Tippecanoe, Tipton,
Vermillion, Vigo, Wabash, Warren, White

✓ **Iowa-Farm Service Agency**

Senate

Tom Harkin

Charles Grassley

County: Polk

House

Greg Ganske--District 4

✓ **Kentucky-Rural Development**

Senate

Jackson,

Wendell Ford

Mitch McConnell

Counties: Laurel, Whitley, Knox, Wayne, Clinton,

McCreary, Rockcastle, Clay, Bell, Harlan,
Pulaski, Lincoln, Casey

House

Edward Whitfield--District 1

Harold Rogers--District 5

✓ **Maryland-Farm Service Agency**

Senate

Paul Sarbanes

Barbara Mikulski

County: Baltimore

House

Elijah Cummings--District 7

✓ **Michigan-Farm Service Agency**

Senate

Carl Levin
Spencer Abraham

Counties: Clinton, Eaton, Ingham, Wayne, Macomb,
Oakland, St. Clair, Lapeer, Genesee

House

Dave Camp--District 4

Nick Smith--District 7

Dick Chrysler--District 8

✓ Mississippi-Rural Development

Senate

Thad Cochran
Trent Lott

Counties: Claiborne, Jefferson, Bolivar, Holmes,
Humphreys, Leflore, Sunflower, Washington,
Quitman, Tallahatchie, Panola, Madison,
Sharkey, Issaquena, Lincol, Copiah,
Franklin

House

Bennie Thompson--District 2
Mike Parker--District 4

✓ Missouri-Farm Service Agency

Senate

Kit Bond
John Ashcroft

Counties: Cass, Jackson, Ray

House

Ike Skelton--District 4
Karen McCarthy--District 5
Pat Danner--District 6

✓ New Jersey

Senate

Bill Bradley
Frank Lautenberg

Counties: Atlantic, Cumberland, Burlington, Camden

House

Rob Andrews--District 1
Frank LoBiondo--District 2
Jim Saxton--District 3
Washington

✓ **New Mexico-Rural Development**

Senate

Pete Domenici
Jeff Bingaman

Counties: Bernalillo, Valencia, Torrance, Sandoval

House

Steve Schiff--District 1
Joe Skeen--District 2
Bill Richardson--District 3

✓ **Oregon-Rural Development**

Senate

Mark Hatfield
Ron Wyden

Counties: Marion, Polk, Yamhill, Benton, Multnomah,
Lane, Linn, Umatilla, Morrow, Malheur

House

Elizabeth Furse--District 1
Wes Cooley--District 2
District 3
Peter DeFazio--District 4
Jim Bunn--District 5

✓ **Pennsylvania-Rural Development**

Senate

Arlen Specter
Rick Santorum

County: Fayette

House

John Murtha--District 12
Frank Mascara--District 20

✓ **Rhode Island-Farm Service Agency and Rural Development**

Senate

Washington Claiborne Pell
John Chafee

Counties: Bristol, Newport, Providence, Kent,

House

Patrick Kennedy--District 1
Jack Reed--District 2

✓ **Texas-Rural Development**

Senate

Phil Gramm
Kay Bailey Hutchison

Counties: Brooks, Starr, Hidalgo, Cameron

House

Kika de la Garza--District 15
Henry Bonilla--District 23
Solomon Ortiz--District 27
Frank Tejeda--District 28

✓ **Washington-Extension Service**

Senate

Slade Gorton
Patty Murray

Counties: Yakima, Pierce

House

Richard Hastings--District 4
Norm Dicks--District 6
Jennifer Dunn--District 8
Randy Tate--District 9

✓ **Navajo Nation-Farm Service Agency**

Arizona

Senate

John McCain
Jon Kyl

County: Apache

House

J.D. Hayworth--District 6

*NOTE: Food was actually
distributed in all 4
states!*

Colorado

Senate

Hank Brown

County: La Plata

Ben Nighthorse Campbell

House

Scott McInnis

New Mexico

Senate

Pete Domenici

Jeff Bingaman

County: San Juan

House

Bill Richardson--District 3

Utah

Senate

Orrin Hatch

Robert Bennett

County: San Juan

House

Bill Orton--District 3

NATIONAL ENDOWMENT FOR THE HUMANITIES GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, as amended, \$96,100,000 shall be available to the National Endowment for the Humanities for support of activities in the humanities, pursuant to section 7(c) of the Act, and for administering the functions of the Act, to remain available until expended.

MATCHING GRANTS

To carry out the provisions of section 10(a)(2) of the National Foundation on the Arts and the Humanities Act of 1965, as amended, \$13,900,000, to remain available until expended, of which \$8,000,000 shall be available to the National Endowment for the Humanities for the purposes of section 7(h): Provided, That this appropriation shall be available for obligation only in such amounts as may be equal to the total amounts of gifts, bequests, and devises of money, and other property accepted by the Chairman or by grantees of the Endowment under the provisions of subsections 11(a)(2)(B) and 11(a)(3)(B) during the current and preceding fiscal years for which equal amounts have not previously been appropriated.

INSTITUTE OF MUSEUM SERVICES GRANTS AND ADMINISTRATION

For carrying out title II of the Arts, Humanities, and Cultural Affairs Act of 1976, as amended, \$22,000,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS

None of the funds appropriated to the National Foundation on the Arts and the Humanities may be used to process any grant or contract documents which do not include the text of 16 U.S.C. 1913: Provided, That none of the funds appropriated to the National Foundation on the Arts and the Humanities may be used for official reception and representation expenses.

COMMISSION OF FINE ARTS

SALARIES AND EXPENSES

For expenses made necessary by the Act establishing a Commission of Fine Arts (40 U.S.C. 104), \$867,000.

NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

For necessary expenses as authorized by Public Law 99-190 (20 U.S.C. 956(a)), as amended, \$6,000,000.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

SALARIES AND EXPENSES

For necessary expenses of the Advisory Council on Historic Preservation (Public Law 89-665, as amended), \$2,500,000: Provided, That none of these funds shall be available for the compensation of Executive Level V or higher position.

NATIONAL CAPITAL PLANNING COMMISSION

SALARIES AND EXPENSES

For necessary expenses, as authorized by the National Capital Planning Act of 1952 (40 U.S.C. 71-71i), including services as authorized by 5 U.S.C. 3109, \$5,390,000: Provided, That all appointed members will be compensated at a rate not to exceed the rate for Executive Schedule Level IV.

FRANKLIN DELANO ROOSEVELT MEMORIAL COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Franklin Delano Roosevelt Memorial Commission, established by the Act of August 11, 1955 (69 Stat. 694), as amended by Public Law 92-332 (86 Stat. 401), \$500,000 to remain available until expended.

UNITED STATES HOLOCAUST MEMORIAL COUNCIL HOLOCAUST MEMORIAL COUNCIL

For expenses of the Holocaust Memorial Council, as authorized by Public Law 96-388 (36 U.S.C. 1401), as amended, \$30,707,000, of which \$1,575,000 for the Museum's repair and rehabilitation program and \$1,264,000 for the Museum's

exhibitions program shall remain available until expended.

(TITLE III—GENERAL PROVISIONS)

SEC. 301. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive Order issued pursuant to existing law.

SEC. 302. No part of any appropriation under this Act shall be available to the Secretary of the Interior or the Secretary of Agriculture for the leasing of oil and natural gas by non-competitive bidding on publicly owned lands within the boundaries of the Shawnee National Forest, Illinois: Provided, That nothing herein is intended to inhibit or otherwise affect the sale, lease, or right to access to minerals owned by private individuals.

SEC. 303. No part of any appropriation contained in this Act shall be available for any activity or the publication or distribution of literature that in any way tends to promote public support or opposition to any legislative proposal on which congressional action is not complete.

SEC. 304. 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. 305. None of the funds provided in this Act to any department or agency shall be obligated or expended to provide a personal cook, chauffeur, or other personal servants to any officer or employee of such department or agency except as otherwise provided by law.

SEC. 306. No assessments may be levied against any program, budget activity, subactivity, or project funded by this Act unless advance notice of such assessments and the basis therefor are presented to the Committees on Appropriations and are approved by such Committees.

SEC. 307. (a) COMPLIANCE WITH BUY AMERICAN ACT.—None of the funds made available in this Act may be expended by an entity unless the entity agrees that in expending the funds the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a-10c; popularly known as the "Buy American Act").

(b) SENSE OF CONGRESS; REQUIREMENT REGARDING NOTICE.—

(1) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or product that may be authorized to be purchased with financial assistance provided using funds made available in this Act, it is the sense of the Congress that entities receiving the assistance should, in expending the assistance, purchase only American-made equipment and products.

(2) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance using funds made available in this Act, the head of each Federal agency shall provide to each recipient of the assistance a notice describing the statement made in paragraph (1) by the Congress.

(c) PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—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, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 308. None of the funds in this Act may be used to plan, prepare, or offer for sale timber from trees classified as giant sequoia (*Sequoiadendron giganteum*) which are located on National Forest System or Bureau of Land

Management lands in a manner different than such sales were conducted in fiscal year 1995.

SEC. 309. None of the funds made available by this Act may be obligated or expended by the National Park Service to enter into or implement a concession contract which permits or requires the removal of the underground lunchroom at the Carlsbad Caverns National Park.

SEC. 310. Where the actual costs of construction projects under self-determination contracts, compacts, or grants, pursuant to Public Laws 93-638, 103-413, or 100-297, are less than the estimated costs thereof, use of the resulting excess funds shall be determined by the appropriate Secretary after consultation with the tribes.

SEC. 311. Notwithstanding Public Law 103-413, quarterly payments of funds to tribes and tribal organizations under annual funding agreements pursuant to section 108 of Public Law 93-638, as amended, may be made on the first business day following the first day of a fiscal quarter.

SEC. 312. None of the funds appropriated or otherwise made available by this Act may be used for the AmeriCorps program, unless the relevant agencies of the Department of the Interior and/or Agriculture follow appropriate reprogramming guidelines: Provided, That if no funds are provided for the AmeriCorps program by the VA-HUD and Independent Agencies fiscal year 1997 appropriations bill, then none of the funds appropriated or otherwise made available by this Act may be used for the AmeriCorps programs.

SEC. 313. None of the funds made available in this Act may be used (1) to demolish the bridge between Jersey City, New Jersey, and Ellis Island; or (2) to prevent pedestrian use of such bridge, when it is made known to the Federal official having authority to obligate or expend such funds that such pedestrian use is consistent with generally accepted safety standards.

SEC. 314. (a) None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to accept or process applications for a patent for any mining or mill site claim located under the general mining laws.

(b) The provisions of subsection (a) shall not apply if the Secretary of the Interior determines that, for the claim concerned: (1) a patent application was filed with the Secretary on or before September 30, 1994, and (2) all requirements established under sections 2325 and 2326 of the Revised Statutes (30 U.S.C. 29 and 30) for vein or lode claims and sections 2329, 2330, 2331, and 2333 of the Revised Statutes (30 U.S.C. 35, 36, and 37) for placer claims, and section 2337 of the Revised Statutes (30 U.S.C. 42) for mill site claims, as the case may be, were fully complied with by the applicant by that date.

(c) PROCESSING SCHEDULE.—For those applications for patents pursuant to subsection (b) which were filed with the Secretary of the Interior, prior to September 30, 1994, the Secretary of the Interior shall—

(1) Within three months of the enactment of this Act, file with the House and Senate Committees on Appropriations and the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the United States Senate a plan which details how the Department of the Interior will make a final determination as to whether or not an applicant is entitled to a patent under the general mining laws on at least 90 percent of such applications within five years of the enactment of this Act and file reports annually thereafter with the same committees detailing actions taken by the Department of the Interior to carry out such plan; and

(2) Take such actions as may be necessary to carry out such plan.

(d) MINERAL EXAMINATIONS.—In order to process patent applications in a timely and responsible manner, upon the request of a patent applicant, the Secretary of the Interior shall allow the applicant to fund a qualified third-party contractor to be selected by the Bureau of

CONSTRUCTION AND IMPROVEMENTS, NATIONAL ZOOLOGICAL PARK

The conference agreement provides \$3,850,000 for zoo construction instead of \$3,250,000 as proposed by the House and \$4,000,000 as proposed by the Senate. Of this total, \$3,250,000 is designated for repair, renovation and improvement projects at both the Rock Creek and Front Royal facilities. In addition, \$600,000 is included for the Grasslands exhibit, thereby enabling the Zoo to complete Phase I, the American Prairie. Once completed, no additional operating costs are expected to be incurred in staffing this exhibit. Given the restrictions of the current budget climate, it is unlikely that additional funds will be available in the near future to address Phases II and III.

REPAIR AND RESTORATION OF BUILDINGS

The conference agreement provides \$39,000,000 for repair and restoration of buildings instead of \$39,954,000 as proposed by the House and \$38,000,000 as proposed by the Senate.

CONSTRUCTION

The conference agreement provides \$10,000,000 for construction instead of \$7,000,000 as proposed by the House and \$12,000,000 as proposed by the Senate. Within this total, \$4,000,000 is provided to the National Museum of the American Indian to complete planning and design of the Mall Museum, \$3,000,000 for continued planning and design of the National Air and Space Museum extension, and \$3,000,000 for minor construction, alterations and modifications.

The conference agreement includes \$4,000,000 to complete the design of the National Museum of the American Indian as recommended by the Senate. This represents a logical stopping point on this project. This funding is provided so that the \$5,300,000 in the Federal funds and the \$3,400,000 in donated funds already spent on design will not be wasted. By funding this final phase of the design, the managers are not committing to appropriations for construction funds in fiscal year 1998. Last year Congress directed the Smithsonian to consider possible downsizing of the building or additional private fundraising efforts to reduce the \$110,000,000 Federal share of the construction. The Smithsonian has not responded to these directives and given the current budget constraints and the Smithsonian's other priority needs, further Federal funding for the Indian Museum is likely to be delayed.

NATIONAL GALLERY OF ART

SALARIES AND EXPENSES

The conference agreement provides \$53,899,000 for salaries and expenses of the National Gallery of Art.

REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

The conference agreement provides \$5,942,000 for repair, restoration and renovation of buildings.

JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

OPERATIONS AND MAINTENANCE

The conference agreement provides \$10,875,000 for operations and maintenance of the John F. Kennedy Center for the Performing Arts.

CONSTRUCTION

The conference agreement provides \$9,000,000 for construction.

WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS

SALARIES AND EXPENSES

The conference agreement provides \$5,840,000 for salaries and expenses of the Woodrow Wilson International Center for Scholars.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

NATIONAL ENDOWMENT FOR THE ARTS

GRANTS AND ADMINISTRATION

The conference agreement provides \$82,734,000 for grants and administration of the National Endowment for the Arts.

MATCHING GRANTS

The conference agreement provides \$16,760,000 for matching grants.

NATIONAL ENDOWMENT FOR THE HUMANITIES

GRANTS AND ADMINISTRATION

The conference agreement provides \$96,100,000 for grants and administration of the National Endowment for the Humanities instead of \$92,994,000 as proposed by the House and \$87,994,000 as proposed by the Senate.

MATCHING GRANTS

The conference agreement provides \$13,900,000 for matching grants instead of \$11,500,000 as proposed by the House and Senate.

INSTITUTE OF MUSEUM SERVICES

GRANTS AND ADMINISTRATION

The conference agreement provides \$22,000,000 for grants and administration of the Institute of Museum Services instead of \$21,000,000 as proposed by the House and Senate.

COMMISSION OF FINE ARTS

SALARIES AND EXPENSES

The conference agreement provides \$867,000 for salaries and expenses of the Commission of Fine Arts.

NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

The conference agreement provides \$6,000,000 for National capital arts and cultural affairs grants.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

SALARIES AND EXPENSES

The conference agreement provides \$2,500,000 for salaries and expenses of the Advisory Council on Historic Preservation. Federal agencies and other entities that benefit from the Council's expert assistance and advice on meeting their particular preservation obligations should reimburse the Council for the cost of providing these services, rather than relying on the Council's appropriation. The Council, with full cooperation from other Federal agencies, should cultivate such reimbursable arrangements as an important component of supporting its mission. Such agreements will further the Council's mission but not increase the Council's dependency on the Interior bill.

NATIONAL CAPITAL PLANNING COMMISSION

SALARIES AND EXPENSES

The conference agreement provides \$5,390,000 for salaries and expenses of the National Capital Planning Commission.

FRANKLIN DELANO ROOSEVELT MEMORIAL COMMISSION

SALARIES AND EXPENSES

The conference agreement provides \$500,000 for salaries and expenses of the Franklin Delano Roosevelt Memorial Commission as proposed by the Senate instead of the \$125,000 as proposed by the House. Funds are made available until expended as proposed by the Senate. The House had proposed one-year funding availability.

UNITED STATES HOLOCAUST MEMORIAL COUNCIL

HOLOCAUST MEMORIAL COUNCIL

The conference agreement provides \$30,707,000 for the Holocaust Memorial Coun-

cil as proposed by the Senate instead of \$29,707,000 as proposed by the House.

TITLE III—GENERAL PROVISIONS

Section 312 continues language carried in the fiscal year 1996 appropriations act regarding AmeriCorps activities of the Department of the Interior and the Forest Service in the Department of Agriculture subject to established reprogramming guidelines. Timely consideration will be given to any request that is submitted. If AmeriCorps members can be used in a manner that on-the-ground land managers determine will be cost-effective and beneficial to the agency, those types of efforts should be considered via a reprogramming request.

Section 315 expands the Wayne NF land acquisition moratorium to include Gallia County, Ohio as adopted by Senate floor action. The House did not include Gallia County in the moratorium.

Section 316 clarifies House language regarding grants by the National Endowment for the Arts to local arts agencies and regional groups, as proposed by the Senate.

The conference agreement deletes House and Senate language regarding construction of a telescope on Mount Graham. Section 317 modifies House and Senate language limiting funding for issuing a final rulemaking on jurisdiction over subsistence fishing in Alaska.

The committees intend that the prohibition in this section shall not prevent the Secretaries of Agriculture and the Interior from continuing to receive public comment on the advanced notice of proposed rulemaking on subsistence, or from preparing or issuing any further notice of proposed rulemaking with respect to subsistence in Alaska. The committees intend that neither Secretary will issue such notice of proposed rulemaking, and the section prohibits the implementation or enforcement of any interim or final rule or regulation.

Section 319 extends the recreation fee demonstration program and expands it to include 100 units per participating agency as proposed by the Senate. The House had a similar provision which did not increase the number of participating units.

Conference agreement deletes House language placing a limitation on the transfer of land into trust for Indian tribes, as proposed by the Senate.

Section 321 transfers the Bend Silviculture Laboratory to the Central Oregon Community College as proposed by the Senate. The House had no similar provision.

Section 322 modifies a Senate provision such that the activities of the Office of Forestry and Economic Assistance or any successor office are terminated after December 31, 1996. The House had no similar provision.

Section 323 authorizes a land exchange between the Corrections Corporation of America and National Park Service of land in Oxon Cove Park in Prince Georges County, Maryland as proposed by the Senate. The House had no similar provision.

Section 324 authorizes a land exchange between the Forest Service and the Chelan County Public Utility District in Washington as proposed by the Senate. The House had no similar provision.

Section 325 mandates the modification of the boundaries of the Snoqualmie National Forest to facilitate a land exchange between the Forest Service and the Weyerhaeuser Co. as proposed by the Senate. The House had no similar provision.

Section 326 provides for a land exchange between the Forest Service (Green Mountain National Forest) and Sugarbush Resort Holdings, Inc. as proposed by the Senate. The House had no similar provision.

Section 327 removes 100 acres from the Snowbird Wilderness Study Area as proposed

NATIONAL ENDOWMENT FOR THE HUMANITIES GRANTS AND ADMINISTRATION

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MATCHING GRANTS

To carry out the provisions of section 10(a)(2) of the National Foundation on the Arts and the Humanities Act of 1965, as amended, \$13,900,000, to remain available until expended, of which \$8,000,000 shall be available to the National Endowment for the Humanities for the purposes of section 7(h): Provided, That this appropriation shall be available for obligation only in such amounts as may be equal to the total amounts of gifts, bequests, and devises of money, and other property accepted by the Chairman or by grantees of the Endowment under the provisions of subsections 11(a)(2)(B) and 11(a)(3)(B) during the current and preceding fiscal years for which equal amounts have not previously been appropriated.

INSTITUTE OF MUSEUM SERVICES GRANTS AND ADMINISTRATION

For carrying out title II of the Arts, Humanities, and Cultural Affairs Act of 1976, as amended, \$22,000,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS

None of the funds appropriated to the National Foundation on the Arts and the Humanities may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913: Provided, That none of the funds appropriated to the National Foundation on the Arts and the Humanities may be used for official reception and representation expenses.

COMMISSION OF FINE ARTS SALARIES AND EXPENSES

For expenses made necessary by the Act establishing a Commission of Fine Arts (40 U.S.C. 104), \$867,000.

NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

For necessary expenses as authorized by Public Law 99-190 (20 U.S.C. 956(a)), as amended, \$6,000,000.

ADVISORY COUNCIL ON HISTORIC PRESERVATION SALARIES AND EXPENSES

For necessary expenses of the Advisory Council on Historic Preservation (Public Law 89-665, as amended), \$2,500,000: Provided, That none of these funds shall be available for the compensation of Executive Level V or higher position.

NATIONAL CAPITAL PLANNING COMMISSION SALARIES AND EXPENSES

For necessary expenses, as authorized by the National Capital Planning Act of 1952 (40 U.S.C. 71-71i), including services as authorized by 5 U.S.C. 3109, \$5,390,000: Provided, That all appointed members will be compensated at a rate not to exceed the rate for Executive Schedule Level IV.

FRANKLIN DELANO ROOSEVELT MEMORIAL COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Franklin Delano Roosevelt Memorial Commission, established by the Act of August 11, 1955 (69 Stat. 694), as amended by Public Law 92-332 (86 Stat. 401), \$500,000 to remain available until expended.

UNITED STATES HOLOCAUST MEMORIAL COUNCIL HOLOCAUST MEMORIAL COUNCIL

For expenses of the Holocaust Memorial Council, as authorized by Public Law 96-388 (36 U.S.C. 1401), as amended, \$30,707,000, of which \$1,575,000 for the Museum's repair and rehabilitation program and \$1,264,000 for the Museum's

exhibitions program shall remain available until expended.

(TITLE III—GENERAL PROVISIONS)

SEC. 301. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive Order issued pursuant to existing law.

SEC. 302. No part of any appropriation under this Act shall be available to the Secretary of the Interior or the Secretary of Agriculture for the leasing of oil and natural gas by non-competitive bidding on publicly owned lands within the boundaries of the Shawnee National Forest, Illinois: Provided, That nothing herein is intended to inhibit or otherwise affect the sale, lease, or right to access to minerals owned by private individuals.

SEC. 303. No part of any appropriation contained in this Act shall be available for any activity or the publication or distribution of literature that in any way tends to promote public support or opposition to any legislative proposal on which congressional action is not complete.

SEC. 304. 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. 305. None of the funds provided in this Act to any department or agency shall be obligated or expended to provide a personal cook, chauffeur, or other personal servants to any officer or employee of such department or agency except as otherwise provided by law.

SEC. 306. No assessments may be levied against any program, budget activity, subactivity, or project funded by this Act unless advance notice of such assessments and the basis therefor are presented to the Committees on Appropriations and are approved by such Committees.

SEC. 307. (a) COMPLIANCE WITH BUY AMERICAN ACT.—None of the funds made available in this Act may be expended by an entity unless the entity agrees that in expending the funds the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a-10c; popularly known as the "Buy American Act").

(b) SENSE OF CONGRESS; REQUIREMENT REGARDING NOTICE.—

(1) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or product that may be authorized to be purchased with financial assistance provided using funds made available in this Act, it is the sense of the Congress that entities receiving the assistance should, in expending the assistance, purchase only American-made equipment and products.

(2) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance using funds made available in this Act, the head of each Federal agency shall provide to each recipient of the assistance a notice describing the statement made in paragraph (1) by the Congress.

(c) PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—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, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 308. None of the funds in this Act may be used to plan, prepare, or offer for sale timber from trees classified as giant sequoia (*Sequoiadendron giganteum*) which are located on National Forest System or Bureau of Land

Management lands in a manner different than such sales were conducted in fiscal year 1995.

SEC. 309. None of the funds made available by this Act may be obligated or expended by the National Park Service to enter into or implement a concession contract which permits or requires the removal of the underground lunchroom at the Carlsbad Caverns National Park.

SEC. 310. Where the actual costs of construction projects under self-determination contracts, compacts, or grants, pursuant to Public Laws 93-638, 103-413, or 100-297, are less than the estimated costs thereof, use of the resulting excess funds shall be determined by the appropriate Secretary after consultation with the tribes.

SEC. 311. Notwithstanding Public Law 103-413, quarterly payments of funds to tribes and tribal organizations under annual funding agreements pursuant to section 108 of Public Law 93-638, as amended, may be made on the first business day following the first day of a fiscal quarter.

SEC. 312. None of the funds appropriated or otherwise made available by this Act may be used for the AmeriCorps program, unless the relevant agencies of the Department of the Interior and/or Agriculture follow appropriate reprogramming guidelines: Provided, That if no funds are provided for the AmeriCorps program by the VA-HUD and Independent Agencies fiscal year 1997 appropriations bill, then none of the funds appropriated or otherwise made available by this Act may be used for the AmeriCorps programs.

SEC. 313. None of the funds made available in this Act may be used (1) to demolish the bridge between Jersey City, New Jersey, and Ellis Island; or (2) to prevent pedestrian use of such bridge, when it is made known to the Federal official having authority to obligate or expend such funds that such pedestrian use is consistent with generally accepted safety standards.

SEC. 314. (a) None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to accept or process applications for a patent for any mining or mill site claim located under the general mining laws.

(b) The provisions of subsection (a) shall not apply if the Secretary of the Interior determines that, for the claim concerned: (1) a patent application was filed with the Secretary on or before September 30, 1994, and (2) all requirements established under sections 2325 and 2326 of the Revised Statutes (30 U.S.C. 29 and 30) for vein or lode claims and sections 2329, 2330, 2331, and 2333 of the Revised Statutes (30 U.S.C. 35, 36, and 37) for placer claims, and section 2337 of the Revised Statutes (30 U.S.C. 42) for mill site claims, as the case may be, were fully complied with by the applicant by that date.

(c) PROCESSING SCHEDULE.—For those applications for patents pursuant to subsection (b) which were filed with the Secretary of the Interior, prior to September 30, 1994, the Secretary of the Interior shall—

(1) Within three months of the enactment of this Act, file with the House and Senate Committees on Appropriations and the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the United States Senate a plan which details how the Department of the Interior will make a final determination as to whether or not an applicant is entitled to a patent under the general mining laws on at least 90 percent of such applications within five years of the enactment of this Act and file reports annually thereafter with the same committees detailing actions taken by the Department of the Interior to carry out such plan; and

(2) Take such actions as may be necessary to carry out such plan.

(d) MINERAL EXAMINATIONS.—In order to process patent applications in a timely and responsible manner, upon the request of a patent applicant, the Secretary of the Interior shall allow the applicant to fund a qualified third-party contractor to be selected by the Bureau of

CONSTRUCTION AND IMPROVEMENTS, NATIONAL ZOOLOGICAL PARK

The conference agreement provides \$3,850,000 for zoo construction instead of \$3,250,000 as proposed by the House and \$4,000,000 as proposed by the Senate. Of this total, \$3,250,000 is designated for repair, renovation and improvement projects at both the Rock Creek and Front Royal facilities. In addition, \$600,000 is included for the Grasslands exhibit, thereby enabling the Zoo to complete Phase I, the American Prairie. Once completed, no additional operating costs are expected to be incurred in staffing this exhibit. Given the restrictions of the current budget climate, it is unlikely that additional funds will be available in the near future to address Phases II and III.

REPAIR AND RESTORATION OF BUILDINGS

The conference agreement provides \$39,000,000 for repair and restoration of buildings instead of \$39,954,000 as proposed by the House and \$38,000,000 as proposed by the Senate.

CONSTRUCTION

The conference agreement provides \$10,000,000 for construction instead of \$7,000,000 as proposed by the House and \$12,000,000 as proposed by the Senate. Within this total, \$4,000,000 is provided to the National Museum of the American Indian to complete planning and design of the Mall Museum, \$3,000,000 for continued planning and design of the National Air and Space Museum extension, and \$3,000,000 for minor construction, alterations and modifications.

The conference agreement includes \$4,000,000 to complete the design of the National Museum of the American Indian as recommended by the Senate. This represents a logical stopping point on this project. This funding is provided so that the \$5,300,000 in the Federal funds and the \$3,400,000 in donated funds already spent on design will not be wasted. By funding this final phase of the design, the managers are not committing to appropriations for construction funds in fiscal year 1998. Last year Congress directed the Smithsonian to consider possible downsizing of the building or additional private fundraising efforts to reduce the \$110,000,000 Federal share of the construction. The Smithsonian has not responded to these directives and given the current budget constraints and the Smithsonian's other priority needs, further Federal funding for the Indian Museum is likely to be delayed.

NATIONAL GALLERY OF ART

SALARIES AND EXPENSES

The conference agreement provides \$53,899,000 for salaries and expenses of the National Gallery of Art.

REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

The conference agreement provides \$5,942,000 for repair, restoration and renovation of buildings.

JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

OPERATIONS AND MAINTENANCE

The conference agreement provides \$10,875,000 for operations and maintenance of the John F. Kennedy Center for the Performing Arts.

CONSTRUCTION

The conference agreement provides \$9,000,000 for construction.

WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS

SALARIES AND EXPENSES

The conference agreement provides \$5,840,000 for salaries and expenses of the Woodrow Wilson International Center for Scholars.

NATIONAL FOUNDATION FOR THE ARTS AND THE HUMANITIES

NATIONAL ENDOWMENT FOR THE ARTS

GRANTS AND ADMINISTRATION

The conference agreement provides \$82,734,000 for grants and administration of the National Endowment for the Arts.

MATCHING GRANTS

The conference agreement provides \$16,760,000 for matching grants.

NATIONAL ENDOWMENT FOR THE HUMANITIES

GRANTS AND ADMINISTRATION

The conference agreement provides \$96,100,000 for grants and administration of the National Endowment for the Humanities instead of \$92,994,000 as proposed by the House and \$87,994,000 as proposed by the Senate.

MATCHING GRANTS

The conference agreement provides \$13,900,000 for matching grants instead of \$11,500,000 as proposed by the House and Senate.

INSTITUTE OF MUSEUM SERVICES

GRANTS AND ADMINISTRATION

The conference agreement provides \$22,000,000 for grants and administration of the Institute of Museum Services instead of \$21,000,000 as proposed by the House and Senate.

COMMISSION OF FINE ARTS

SALARIES AND EXPENSES

The conference agreement provides \$867,000 for salaries and expenses of the Commission of Fine Arts.

NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

The conference agreement provides \$6,000,000 for National capital arts and cultural affairs grants.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

SALARIES AND EXPENSES

The conference agreement provides \$2,500,000 for salaries and expenses of the Advisory Council on Historic Preservation. Federal agencies and other entities that benefit from the Council's expert assistance and advice on meeting their particular preservation obligations should reimburse the Council for the cost of providing these services, rather than relying on the Council's appropriation. The Council, with full cooperation from other Federal agencies, should cultivate such reimbursable arrangements as an important component of supporting its mission. Such agreements will further the Council's mission but not increase the Council's dependency on the Interior bill.

NATIONAL CAPITAL PLANNING COMMISSION

SALARIES AND EXPENSES

The conference agreement provides \$5,390,000 for salaries and expenses of the National Capital Planning Commission.

FRANKLIN DELANO ROOSEVELT MEMORIAL COMMISSION

SALARIES AND EXPENSES

The conference agreement provides \$500,000 for salaries and expenses of the Franklin Delano Roosevelt Memorial Commission as proposed by the Senate instead of the \$125,000 as proposed by the House. Funds are made available until expended as proposed by the Senate. The House had proposed one-year funding availability.

UNITED STATES HOLOCAUST MEMORIAL COUNCIL

HOLOCAUST MEMORIAL COUNCIL

The conference agreement provides \$30,707,000 for the Holocaust Memorial Coun-

cil as proposed by the Senate instead of \$29,707,000 as proposed by the House.

TITLE III—GENERAL PROVISIONS

Section 312 continues language carried in the fiscal year 1996 appropriations act regarding AmeriCorps activities of the Department of the Interior and the Forest Service in the Department of Agriculture subject to established reprogramming guidelines. Timely consideration will be given to any request that is submitted. If AmeriCorps members can be used in a manner that on-the-ground land managers determine will be cost-effective and beneficial to the agency, those types of efforts should be considered via a reprogramming request.

Section 315 expands the Wayne NF land acquisition moratorium to include Gallia County, Ohio as adopted by Senate floor action. The House did not include Gallia County in the moratorium.

Section 316 clarifies House language regarding grants by the National Endowment for the Arts to local arts agencies and regional groups, as proposed by the Senate.

The conference agreement deletes House and Senate language regarding construction of a telescope on Mount Graham. Section 317 modifies House and Senate language limiting funding for issuing a final rulemaking on jurisdiction over subsistence fishing in Alaska.

The committees intend that the prohibition in this section shall not prevent the Secretaries of Agriculture and the Interior from continuing to receive public comment on the advanced notice of proposed rulemaking on subsistence, or from preparing or issuing any further notice of proposed rulemaking with respect to subsistence in Alaska. The committees intend that neither Secretary will issue such notice of proposed rulemaking, and the section prohibits the implementation or enforcement of any interim or final rule or regulation.

Section 319 extends the recreation fee demonstration program and expands it to include 100 units per participating agency as proposed by the Senate. The House had a similar provision which did not increase the number of participating units.

Conference agreement deletes House language placing a limitation on the transfer of land into trust for Indian tribes, as proposed by the Senate.

Section 321 transfers the Bend Silviculture Laboratory to the Central Oregon Community College as proposed by the Senate. The House had no similar provision.

Section 322 modifies a Senate provision such that the activities of the Office of Forestry and Economic Assistance or any successor office are terminated after December 31, 1996. The House had no similar provision.

Section 323 authorizes a land exchange between the Corrections Corporation of America and National Park Service of land in Oxon Cove Park in Prince Georges County, Maryland as proposed by the Senate. The House had no similar provision.

Section 324 authorizes a land exchange between the Forest Service and the Chelan County Public Utility District in Washington as proposed by the Senate. The House had no similar provision.

Section 325 mandates the modification of the boundaries of the Snoqualmie National Forest to facilitate a land exchange between the Forest Service and the Weyerhaeuser Co. as proposed by the Senate. The House had no similar provision.

Section 326 provides for a land exchange between the Forest Service (Green Mountain National Forest) and Sugarbush Resort Holdings, Inc. as proposed by the Senate. The House had no similar provision.

Section 327 removes 100 acres from the Snowbird Wilderness Study Area as proposed