S. HRG. 106–814

NOMINATION OF CHRISTOPHER A. MCLEAN AND MICHAEL V. DUNN

HEARING

BEFORE THE

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY UNITED STATES SENATE

ONE HUNDRED SIXTH CONGRESS

SECOND SESSION

ON

NOMINATION OF CHRISTOPHER A. MCLEAN AND MICHAEL V. DUNN

APRIL 11, 27, 2000

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NOMINATION OF CHRISTOPHER A. MCLEAN, TO SERVE AS ADMINISTRATOR OF THE USDA'S RURAL UTILITIES SERVICE

TUESDAY, APRIL 11, 2000

U.S. SENATE,
COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY,
Washington, DC.

The Committee met, pursuant to notice, at 9:36 a.m., in room SR–328A, Russell Senate Office Building, Hon. Richard G. Lugar, (Chairman of the Committee), presiding.

Present or Submitting a Statement: Senators Lugar, Fitzgerald, Grassley, Harkin, Conrad, Daschle, and Baucus.

OPENING STATEMENT OF HON. RICHARD G. LUGAR, A U.S. SENATOR FROM INDIANA, CHAIRMAN, COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

The CHAIRMAN. This hearing of the Senate Agriculture Committee is called to order.

Today, the Committee is holding a hearing on two matters. First is the confirmation of Christopher A. McLean to serve as Administrator of the USDA's Rural Utilities Service. Our second topic is the MTBE Crisis and the Future of Renewable Fuels.

We will turn first to the confirmation of Mr. McLean. He is a native of Nebraska and has served as the Acting Administrator of the Rural Utilities Service since November of 1999. Before that, he served as Deputy Administrator of this agency. He is no stranger to the Senate, having worked for both Senator Bob Kerrey and former Senator Jim Exon.

We are privileged today to have Senator Kerrey, who is a member of our committee, and Senator Hagel, the delegation of Senators from Nebraska, to offer words of introduction for Mr. McLean.

As the Agency that provides infrastructure financing for electric, telecommunications, and water and waste disposal projects in rural America, the Rural Utilities Service has an important mission that is vital to the health and quality of life of people on farms in our country. As Administrator of the Rural Utilities Service, Mr. McLean would oversee the management of a huge loan portfolio, including investments in approximately 7,000 small-community rural and wastewater systems, and 2,000 electric and telecommunications systems servicing rural America.

I welcome you to the Committee, Mr. McLean, and look forward to hearing your testimony.

First of all, I would like to call upon my colleagues for their comments of introduction.

Senator Kerrey.

STATEMENT OF HON. J. ROBERT KERREY, A U.S. SENATOR FROM NEBRASKA

Senator KERREY. Well, Mr. Chairman, you have given most of the relevant details about Chris McLean. He is from Nebraska.

[Laughter.]

But I would like to use this as an opportunity, if I could, Mr. Chairman, for you and for colleagues and for the record. I came into politics in 1982, straight from business and naive about many things concerning government. Key amongst them was the idea that all the good human beings were in the private sector, and that it was not likely in the public sector you would find very many people that were superior to people in the private sector or that would be willing to work as hard, etc., etc..

That myth was shattered very early on in my term as governor. It doesn't mean that we don't have to work to try to reform government, but I am very impressed with the quality of people and their willingness to sacrifice and work for the common good, and Chris McLean is in that category.

He comes to jobs willing to spend the time necessary to understand the details. He comes with a great respect for the power of the law to do good and bad. He has, I think, the right balance of respect for what the marketplace can do and what our laws can do to assist where the market doesn't get the job done, and I think will make an excellent Administrator of the RUS. I appreciate very much not only his nomination, but I appreciate very much his willingness to serve.

The CHAIRMAN. Well, thank you very much, Senator Kerrey, for that introduction.

Senator Hagel

STATEMENT OF HON. CHUCK HAGEL, A U.S. SENATOR FROM NEBRASKA

Senator HAGEL. Mr. Chairman, thank you. I, too, am pleased to have an opportunity to say a couple of words about our friend, Mr. McLean.

As Senator Kerrey noted, Mr. McLean starts with an unfair advantage in life, having his early grounding and schooling in Nebraska. So we take note of that early on. Picking up on what Bob said about good people, quality people, committed people, this is a man who actually understands what his job is. This is an individual who has lived these issues. This is a man who has a vast and deep and broad experience foundation to draw from. And we never, as you know, Mr. Chairman, have enough of the kind of individuals that we are talking about today with Mr. McLean.

The only flaw I can find is that he has not had the high honor of working for a Republican Senator, but we shall overlook that and I think we can work with that, Mr. Chairman. I think it is beyond fixing at this point.

Senator KERREY. About as close as you can get. He worked for Exon and me.

[Laughter.]

Senator HAGEL. Some would take issue with that, however.

[Laughter.]

But nonetheless, before I get him in trouble and Kerrey and I start a dialogue here that probably would not be in the best interests of Mr. McLean, I am very enthusiastic about this nomination, Mr. Chairman, and I think he will do a terrific job, and we look forward to working with Mr. McLean.

Thank you for holding the hearing.

The CHAIRMAN. Well, we thank both of the Senators from Nebraska for giving these words of encouragement about the nominee. We appreciate the spirit of support that both of you have given to the work of this committee, in addition to your words today for Mr. McLean.

Let me just say prior to calling upon you for your testimony and your opening statement that I would just for the record say that the FBI background checks were presented to me and that I have reviewed all of that carefully. That is one of the situations we proceed through. As you know, the chairman and the ranking member are supposed to take that responsibility carefully on behalf of the other members and bring to their attention items that should be brought to their attention.

Now, during the course of your review with staff and the financial disclosures, you have pledged to divest yourself of certain securities. I simply make that point, and I would say even beyond that which the law requires in terms of the denominations that are involved so that there would be no potential for a conflict of interest.

So as far as I can tell, you start this testimony with a clean slate, but I would just say for the benefit of those watching the hearing, we take very seriously the background checks, the financial disclosures, and thoughtfulness with regard to potential conflicts of interest because the portfolio that you would manage is very sizable. And we appreciated your testimony at the time of the rural satellite business, a situation which you may come into considerable leadership and authority.

Now, at this point, before you begin your testimony, I ask you to raise your right hand and to repeat after me.

Do you swear that the testimony you are about to present is the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MCLEAN. I do.

The CHAIRMAN. I thank you. Please proceed with your testimony.

Senator CONRAD. Mr. Chairman?

The CHAIRMAN. Yes?

Senator CONRAD. Might I say a word just before he begins?

The CHAIRMAN. Of course.

STATEMENT OF HON. KENT CONRAD, A U.S. SENATOR FROM NORTH DAKOTA

Senator CONRAD. I ask for that opportunity, Mr. Chairman, because Chris has been nominated to succeed Wally Beyer, and the really, I think, important fact here today is that, of course, Wally Beyer is a North Dakotan. Wally Beyer is somebody for whom I have enormously high regard. He has served as the Administrator

throughout the time of this administration and done a superb job dealing with the challenges of that agency.

He tells me that he believes Chris is fully prepared to assume the mantle of responsibility of that agency, and none of that surprises any of us who worked with Chris while he served Bob Kerrey and served Jim Exon, really a first-rate person. And I just wanted to make mention of what Wally Beyer said to me in a phone call yesterday.

The CHAIRMAN. Thank you very much for that thoughtful comment.

Mr. McLean.

TESTIMONY OF CHRISTOPHER A. MCLEAN, TO BE ADMINISTRATOR, RURAL UTILITIES SERVICE, U.S. DEPARTMENT OF AGRICULTURE

Mr. MCLEAN. Thank you very much, Mr. Chairman and members of the Committee, for scheduling today's hearing. And thank you, Senator Kerrey, Senator Conrad, and Senator Hagel, for your very kind words, your support, and your friendship.

I also appreciate the presence of my friends and colleagues who are here today, and I also want to pay special thanks to my parents back home in Omaha. And most importantly, I would like to thank my wife, Helen, who has been a most understanding and supportive wife, partner, and my best friend.

As a former Senate staffer, it is a profound honor to appear before the Committee as the President's nominee to be the Administrator of the Rural Utilities Service. I am deeply grateful to have had the honor and privilege of serving as counsel to two great Senators, Jim Exon and Bob Kerrey. From them, I learned what it is to be a public servant.

Now, maybe this will make Senator Hagel feel a little better, but as a Nebraskan it is a special honor and privilege to be nominated to lead the Rural Utilities Service because many of you know that Republican Nebraska Senator George Norris introduced the Rural Electrification Act in 1936. So to this day, I continue to work for a Nebraska Senator.

I am also humbled to be asked to follow in the footsteps of Wally Beyer. As the last Administrator of the Rural Electrification Administration and the first Administrator of the Rural Utilities Service, Wally is the alpha and the omega of the rural electric cooperative movement. Wally taught me very well; I learned a great deal from him. He led the Agency into the 21st century, and I am very honored to be asked to carry the torch that he re-lit, forward.

Mr. Chairman, I am very pleased to report that the Rural Utilities Service and its authorizing legislation is sound. With the oversight of this committee, the Agency is working to improve the quality of life for millions of our fellow citizens, and setting an example of successful economic development. The agency is blessed with a dedicated corps of professionals. Everyday, they make me very proud to serve among their ranks.

The programs of the Rural Utilities Service are pistons in a great engine of economic growth. As the Nation enters a new century, the need for rural infrastructure support is very clear. Over 75-percent of the Nation's land mass is rural and 25-percent of the Na-

tion's population lives in rural areas. America cannot be strong without sound infrastructure in the vast rural areas of this great Nation.

Rural America faces new challenges. Low commodity prices, consolidation, vast areas of out-migration, all highlight the need to further extend the benefits of the new economy. This is a time of great change in every sector of the utilities industry as well. Market and regulatory shifts in the telecommunications and energy sectors altered decades-long principles of utility economics. And in water, the health and safety of rural families and the purity of the rural environment are critical to the quality of life.

But this is also a time of unprecedented opportunity. Information age technologies offer the opportunity to suspend the disadvantages of distance, density, and geography. Renewable resources of energy provide new ways to generate income and wealth in rural communities, and the talents, imagination and aspirations of rural youth provide the greatest reason for optimism. And I am very optimistic that America is on the verge of a rural renaissance.

This is a very unique moment in history. Reliable, affordable power, modern telecommunications, safe and clean water, the use of telecommunications technologies to enhance education and health care are the building blocks of success in the new economy.

The RUS does more than provide a source of affordable capital; it ensures a level of quality and an ethic of engineering which maximizes the value of every dollar invested. RUS programs also leverage and attract private capital to utilities projects in rural areas.

While the RUS is proud of its record of accomplishment, it has a vision for the future. RUS is prepared to manage new initiatives to strengthen rural America, to close and prevent the digital divide, to put the electricity in electronic commerce, and to enhance the safety and quality of rural water. Mr. Chairman, should the Congress enact new loan guarantee legislation on the local-into-local television issue, RUS will be ready to meet that challenge.

The priorities I have pursued as Acting Administrator and would pursue as Administrator would be the continuous reform, reinvention, and responsiveness of the Agency; the embracement of new technologies in all our programs, including renewable and distributed generation and broadband services in telecommunications; and modern water filtration and treatment.

We need to focus our attention on those living just beyond the reach of our programs. Places like the Mississippi Delta, Native American communities, and the colonials along the border of the United States and Mexico need special attention, as does that family who lives at the farthest corner of the county. Finally, the RUS partnership with the private sector and other agencies must be maximized to improve the benefit of every tax dollar.

In conclusion, Mr. Chairman, I thank the Committee for its attention, and I look forward to working very closely with this committee. I appreciate the support that the Senators have given me and the unwavering support that this committee has had for the Rural Utilities Service and for keeping alive the spirit and the vision of George Norris.

Thank you, Mr. Chairman.

[The prepared statement of Mr. McLean can be found in the appendix on page 14.]

The CHAIRMAN. Thank you, Mr. McLean.

I would like to call now on the distinguished ranking member of the Committee, Senator Harkin, for any opening comments that he might have for our hearings this morning.

STATEMENT OF HON. TOM HARKIN, A U.S. SENATOR FROM IOWA, RANKING MEMBER, COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Senator HARKIN. Well, thank you very much, Mr. Chairman. I want to welcome Chris McLean here. He has an excellent reputation in the Senate, serving both Senator Exon and Senator Kerrey with distinction. He has spent years dealing with issues of importance to rural America. I know firsthand that he cares about rural America and he knows what is going on. He knows how Congress works, and I believe that his relatively brief tenure at USDA has demonstrated a real skill at working with that bureaucracy and working with the Hill.

I just want to point out that the Rural Utilities Service is of great importance, as Chris McLean has said, providing crucial assistance for rural water and sewer systems, the RECs, as well the rural telephone companies and co-ops. Without the assistance of the Rural Utilities Service, our ability to maintain businesses and a decent quality of life would be a lot harder in rural areas.

As Mr. McLean just said, our population continues to decline in many rural areas, and so the cost of providing those basic services gets relatively higher all the time. But there are new opportunities through new technology and a growing understanding of the quality of life in rural American that can lead to that renaissance that he is talking about, and I can't think of a better person to head that than Chris McLean. I hope we can have unanimous support for him and get his nomination secured post haste.

Mr. Chairman, I would just say that Senator Baucus extends his apologies for not being here. He supports Mr. McLean's nomination, and I would like to submit his statement for the record.

The CHAIRMAN. It will be included in full.

[The prepared statement of Senator Baucus can be found in the appendix on page 17.]

The CHAIRMAN. Let me mention likewise that the colleague of Senator Harkin, Senator Grassley, on our committee, has had to leave in the last few minutes and he wants to give his best wishes, as will, I know, Senator Harkin in due course, to the Governor of Iowa, whom we have present for a hearing immediately following this one. Senator Grassley must Chair Committee on Aging hearings today on the funeral industry. So he would prefer to be here, but he will be doing his duty.

Let me begin the questioning with the mandatory question that we always ask.

Mr. McLean, do you agree that, if confirmed, you will appear before any duly constituted committee of the Congress, if asked?

Mr. MCLEAN. Yes, Sir.

The CHAIRMAN. Thank you very much for that assurance.

In many of the programs that are funded by the Rural Utilities Service, there is an inherent tension between the level of Government involvement and the role of the private sector in providing services and financing. One recent example of this is the debate over the Access to Local Television Act.

In your view, what are the public policy considerations that justify the Government financing the provision of such services to rural America?

Mr. MCLEAN. Well, first and foremost, it is a vision of this Nation being one Nation undivided, indivisible. Rural Americans deserve the same level of service, the same quality of service, the same access to information that we enjoy in the great cities of America. And if we are going to be one Nation, we have to make that commitment.

That statistic of 75/25, 75-percent of the land mass with 25-percent of the population, just recurs over and over and over in my job. Seventy-five-percent of a market is profitable, 25-percent of the market needs special attention. The same thing in rural infrastructure.

And as we move to competitive marketplaces, whether it is in multi-channel video, whether it is in electricity, whether it is in telecommunications, the need is for that 25-percent; where the marketplace isn't going to pay the first attention; needs special attention. That is the reason that programs like the Rural Utilities Service, like universal service, in other industries like essential air service or what used to be called local freight rail assistance, are necessary in order to keep rural America part of this one economy.

The CHAIRMAN. We appreciated your testimony earlier that I referenced in our digital divide hearing as a part of that, and you made a number of those points, I thought, very successfully and cogently that day.

One of the issues facing rural America is the availability of adequate health care and health providers. What role does the Rural Utilities Service play in solving this problem?

Mr. MCLEAN. We have a wonderful program called the Distance Learning Telemedicine Program which this committee originated and worked so hard to keep the support for that program strong.

In telemedicine, we see absolutely remarkable things happening. A family, for example, can avoid hours of time in a car to commute to see a doctor by just being able to visit a local clinic and using telecommunications technologies in order to have examinations and diagnosis and treatment.

It can also stabilize rural hospitals. What happens frequently in health care is when a second opinion is required and a patient needs to get into the car and go to the next community to get the second opinion and surgery is required, surgery usually takes place in that second place. So if you could have teleconsultations where it was with doctors in the larger communities, the patients can stay in their hometown communities and they can have their treatments and their surgery in their hometowns. That would help strengthen the viability of rural hospitals and rural clinics.

We are just so excited. There are over 300 distance learning telemedicine projects in operation right now under the DLT program, and they are doing remarkable things and offering real hope that

you can live in a rural area but still have access to the finest medical advice and finest medical treatment anyone else would have.

The CHAIRMAN. Mr. McLean, many people are surprised to learn that not all Americans even at this date have access to clean, safe drinking water and indoor plumbing. Can you provide us with an update on the Agency's efforts to combat this problem? What percentage of Americans still lack these facilities, and are they mostly in certain areas or is the problem widespread?

Mr. MCLEAN. The agency estimates based on 1990 census data that when we began our program called Water 2000, there were about 1 million folks without quality water systems or quality water service. And we think we have made very steady progress in knocking down that number. We estimate perhaps as many as 300,000 have been reduced.

In our water program, we do have a waiting list. There is more demand for water projects than there are available appropriations, and throughout rural America there is a serious difficulty of aging infrastructure. I visited a community in Big Springs, Nebraska, where the RUS loan was replacing a water system that was built around 1911. This is something that recurs all through America that the infrastructure is just getting to the point where it needs to be replaced and upgraded. And when you do that, you are also saving the community because without that investment the community will not be able to meet clean water standards and face a whole number of challenges.

The CHAIRMAN. Senator Harkin?

Senator HARKIN. Mr. Chairman, I have no questions. I think you have covered them thoroughly. I just again recommend if you have never done this, Chris, get the Congressional Record debate on when the Senate was debating whether or not we would establish the Rural Electrification Administration.

Mr. MCLEAN. Yes, Sir.

Senator HARKIN. You have read it. It is a great debate.

Mr. MCLEAN. It is wonderful, Sir.

Senator HARKIN. And it is appropriate to today's times, I mean, because it was amazing how many people were arguing that it was not the proper role of Government to string electric lines out to rural areas. It is a wonderful debate and it is just sort of appropriate to what we are doing right now as to whether or not this is something that we can do and invest in the future. That is how people saw it at that time, and those that pushed it through were correct.

So I wish you the best in your new job. Please come and see me about electro-farming sometime, will you?

Mr. MCLEAN. Yes, Sir.

Senator HARKIN. I won't get into that.

Thank you, Mr. Chairman.

The CHAIRMAN. Senator Conrad.

Senator CONRAD. Thank you, Mr. Chairman.

Chris, before the Budget Committee this year, the head of the General Accounting Office, Mr. Walker, whom I generally have high regard for, said that the mission of the Rural Utilities Service was complete and the Rural Utilities Service should be phased out.

I told him, you know, I think that is a real misnomer because obviously once a system has been built, it has got to be rebuilt. I mean, the life of these things is not permanent, and if we don't have a program that provides the financing for those systems, very quickly we won't have a system.

I tell you, where we have got places in North Dakota that have one customer per mile, anybody that thinks that adds up without some kind of special assistance and some kind of special support from the Federal Government just doesn't care much about who is at the end of the line. I told him that it would be phased out over my cold, dead body, and he called me afterwards and said that he has listened carefully to what I had said.

What would you say to him if he made that case to you?

Mr. MCLEAN. I think our remarks would be very similar. The mission of the Agency is never complete. It is simply more expensive to serve rural America; on average, both in telecommunications and electric, about three times more expensive to serve rural America.

The consequence of not having a Rural Utilities Service would be very simple. For rural citizens, rates would be higher, quality would be lower, and economic growth would be depressed. And that is a choice that I don't think this Nation should make or ought to make. By providing that financing and that quality assurance that this agency affords, the entire Nation is benefitted.

A telephone in rural America doesn't just serve the folks in that town; it serves the entire Nation. It is a value to New York City and Chicago and Los Angeles that we can call Ravenna, Nebraska, or that we can call Medina, North Dakota. And to just walk away from the high cost of service in 75-percent of the geography of this country would be reckless and irresponsible.

I appreciate your strong support for the program, and nowhere is it more evident that it is necessary than a place like North Dakota. And I have spent a lot of time in North Dakota, particularly with Wally, and the vastness of the State is, I think, unbelievable to folks maybe like the head of the GAO. Seeing that is believing, and it is almost a miracle that America has been able to accomplish electrification and telecommunications and water in these most remote places.

Senator CONRAD. Well, I thank you for that. I think those are exactly the right answers, and it is critically important that we continue to educate people. I frankly was stunned that the head of the GAO wouldn't understand that a mission of an agency like this one can never be completed. It is an ongoing need to rebuild these systems. But, clearly, he is a highly intelligent man. He really hadn't thought carefully about the implications of his remarks.

So I thank you for that.

The CHAIRMAN. Thank you, Senator Conrad.

Senator Kerrey.

Senator KERREY. Thank you, Mr. Chairman.

Mr. McLean, one of the things that I would ask you to examine if you are confirmed is whether or not RUS is capable of producing an inventory, or perhaps capable of producing an inventory in cooperation with the State regulatory commissions that govern telecommunications companies to give Congress some sense of where

we are in terms of meeting the objective of the 1996 Telecom Act, which was that all communities have enhanced telecommunications services.

First, the term itself is relatively vague, to put it mildly, and is apt to be a moving target. So it is not quite as easy as determining whether or not I have got twisted copper pairs coming into every home, which is an easier goal under the old Act to achieve.

I have got Chairman Kennard coming out to Nebraska. I have asked him to do one of his field hearings out there and he is going to do it. We sought to answer the question for the 500-or-so communities in Nebraska to get a specific answer because we keep struggling up against our inability to actually answer the question. It is difficult to devise a strategy to achieve the objective if we don't know where we are.

And we discovered that there just isn't the data. We just aren't able to do it. So our office has been trying to put it together on our own and it is exceptionally difficult to do. I do think it is a piece of work that would benefit us in Congress as we wrestle with the question of how do we achieve this goal of universal access to enhanced services. But I also think it would be very helpful in the partnerships that we have developed between the various Federal agencies, including yours and the FCC and the State public service commissions.

So I would appreciate it very much if you could do some investigation as to whether or not you have the resources to do it or whether or not it can be done in cooperation with other Federal and State agencies that also have the responsibility for carrying out this law.

Mr. McLEAN. In the very near future, the Rural Utilities Service and the NTIA will be coming out with a report which was requested by you, Senator Daschle, Senator Harkin and others giving an initial assessment of the deployment of advanced services.

One of the findings that we made in that report is that the data that is publicly available is very difficult to grapple with. But we were able to analyze public data, to interview engineers, and validate what I think a lot of people understand that the services are rolling out first in the cities, but that there are some exceptions.

The FCC will be collecting more detailed information in the next several months which I think will make the evaluation that you request a little bit more comprehensive. And we would very much be willing to continue work in this area because I think it is vitally important.

Senator KERREY. Well, Senator Daschle earlier this year had some meetings with telecom providers, and I find it very interesting that oftentimes the response to the problem is we are already solving it. And it is very difficult to know if that is true because we simply don't have good data that tells us what is the switching capability in the community, what kind of connectivity is there, what is the bandwidth capability that communities have, and how does that compare to other communities throughout the Nation.

As I said, it is so much more important than it was in the old days when all I had to do was figure out whether or not I could move voice. In the old days, it was real easy; I knew when I had it. Today, it is not, and I think it is very important that we get that

information. Otherwise, it is going to be difficult for us to measure our response in the correct way.

Mr. MCLEAN. In 1993, this committee, with the House Agriculture Committee, enacted the English amendment to the Rural Electrification Loan Restructuring Act which called for State modernization planning of telecommunications. That has guided our work at the Agency, and we tried to design telecommunications systems which are capable of gracefully evolving into advanced services.

We believe in our engineering studies that getting the outside plant right is the most important thing. The distance between the switch and the customer is the most important factor, and you can evolve the switch to bring advanced services. So among our R.U.S. borrowers, I think we have a good handle on the quality of service and the capability of evolving services to advanced levels. Outside of the RUS family is where there is a real challenge in grappling with some of the data.

The CHAIRMAN. Senator Daschle.

Senator DASCHLE. Mr. Chairman, thank you for holding this hearing. I would just want to emphasize how critically important what Senator Kerrey has just said is understood. And I know you totally appreciate that, Mr. McLean.

The telecommunications bill was really founded on two pillars. It was founded on the competitor pillar and the universal access pillar. I think we have got a long way to go on both pillars if we are going to build them strongly enough to create the kind of infrastructure in this country we need.

But I think, of the two pillars, we are lot farther ahead in competition than we are in universal service. And whether or not we have universal service in large measure is dependent upon whether or not we have broadband access, and we don't have it today in large portions of rural America. So I just hope that the RUS will continue to press with all of its ability to ensure that universal service is more than just a code word, that it really is the reality out there, and these studies and your work will be imperative in accomplishing that.

I thank you for your answer to Senator Kerrey, and hopefully we can continue to work with you on it.

Mr. MCLEAN. Thank you, and we are absolutely committed within the Agency to the principle of universal service and have attempted to be helpful, filing over 26 filings with the Federal Communications Commission to assist them in their implementation of the Telecom Act.

The CHAIRMAN. Well, thank you very much, Senator Daschle.

Thank you, Mr. McLean. I will work with the distinguished Ranking Member for prompt action on your nomination in the Committee, and we hope there will be similar consideration on the floor. The distinguished Democratic Leader, I know, will help to expedite that.

We thank you for your testimony and your answers, and we wish you well and look forward to visiting with you.

Mr. MCLEAN. I thank you, Mr. Chairman.

[Whereupon, at 10:10 a.m., the Committee was adjourned.]

APPENDIX

April 11, 2000

Nomination Hearing
Senate Committee on Agriculture, Nutrition, and Forestry
April 11, 2000

Statement by
Christopher A. McLean
Acting Administrator
The Rural Utilities Service
The United States Department of Agriculture

Mr. Chairman, I thank you and the Committee for today's hearing. I also thank Senators Kerrey and Hagel for their kind words, support, and friendship. I thank my friends and colleagues who are here today and my parents who are in Omaha. Most importantly, I thank my wife Helen who has been a most understanding and supportive wife, partner and my best friend.

As a former Senate staffer, it is a profound honor to appear before this Committee as the President's nominee to be the Administrator of the Rural Utilities Service (RUS). My work, my values, and my optimism about America are shaped by my years of experiences in this institution. I am deeply grateful to have had the honor and privilege of serving as counsel to two great Senators, Jim Exon and Bob Kerrey. From them, I learned what it is to be a public servant.

As a Nebraskan it is a special honor to be nominated to lead the Rural Utilities Service. Many of you know that Nebraska Senator George Norris introduced the Rural Electrification Act of 1936. So to this day, I continue to work for a Nebraska Senator!

I am also humbled to be asked to follow in the footsteps of former Administrator Wally Beyer. As the last Administrator of the Rural Electrification Administration and the first Administrator of the Rural Utilities Service, Wally is the alpha and the omega of the cooperative movement. Wally led the agency into the 21st Century and I am honored to carry forward the torch he relit.

Mr. Chairman, I am pleased to report that the Rural Utilities Service and its authorizing legislation is sound. With the oversight of this Committee, the agency is working to improve the quality of life for millions of our fellow citizens and setting an example of successful economic development.

The agency is blessed with a dedicated corps of professionals. The RUS roster is filled with some of the nation's finest engineers, utility experts, accountants and policy analysts. Everyday they make me proud to serve in their ranks. A significant challenge for the agency is to be able to replace retiring workers in this very tight labor market.

The Water, Electric, Telecommunications, Distance Learning and Telemedicine programs of RUS are pistons in a great engine of economic growth. As the nation enters a new century, the need for rural infrastructure support is very clear. Over 75 percent of the nation's landmass is rural and 25 percent of the nation's population lives in rural areas. America can not be strong without sound infrastructure in the vast rural areas of this great nation.

Rural America faces new challenges. Low commodity prices, consolidation and vast areas of out-migration all highlight the need to further extend the benefits of the new economy. The programs of RUS and the Rural Development mission area provide a pathway to greater prosperity.

This is a time of great change for every sector of the utilities industry. Market and regulatory shifts in the telecommunications and energy sectors alter decades long principles of utilities economics. As utilities markets open to competition, capital will seek its highest return. Without the Telecommunications and Electric programs of RUS, rural America could be left behind. In water, the health and safety of rural families and the purity of the rural environment is critical to the quality of life. Rural families also need access to education and health care. The Distance Learning and Telemedicine program is bringing new solutions to every corner of the nation.

This is also a time of unprecedented opportunity for those living beyond the nation's great cities.

Information age technologies offer the opportunity to suspend the disadvantages of distance, density and geography. Renewable sources of energy provide new ways to generate income and wealth in rural communities. The talents, imagination and aspirations of rural youth provide the greatest reason for optimism.

I believe that we are on the verge of a rural renaissance.

This unique moment in history could be lost if the proven fundamentals of rural economic development are abandoned or modified. Reliable, affordable power, modern telecommunications, safe and clean water, the use of telecommunications technologies to enhance education and health care are the building blocks of success in the new century.

The work of RUS is not done. It is a job, which is in fact, never done. The cost of rural service is simply more expensive than service to densely populated urban markets.

RUS does more than provide a source of affordable capital, it ensures a level of quality and an ethic of engineering which maximizes the value of every tax dollar invested. RUS programs also leverage and attract private capital to utilities projects and rural areas.

RUS helps capital go where communities can grow.

While RUS is proud of its record of accomplishment, it also has a vision of the future. RUS is prepared to manage new initiatives to strengthen rural America, to close and prevent the digital divide, to put the electricity in electronic commerce and to enhance the safety and quality of rural water. Should the Congress enact new loan guarantee legislation on " local into local" television service, RUS will be ready to meet the challenge.

I would like to share with the Committee the priorities I have pursued as acting administrator and would continue to pursue as Administrator.

First, RUS must maintain its spirit of continuous reform, reinvention, and responsiveness. The agency has reduced red tape, shortened processing times, enhanced loan security and improved customer service. Our customers must respond to a fast paced market. We must keep up with the level of change.

Second, we should embrace new technologies in all of our programs such as renewable and distributed generation in electric, broadband services in telecommunications, and modern water filtration and treatment.

Third, we are focusing new attention on those living just beyond the reach of our programs. Places like the Mississippi Delta, Native American communities, Colonias along the border of the United States and Mexico and the family that lives at the far corner of the county need RUS.

Fourth, RUS must work in partnership with the private sector and other government agencies to maximize the benefit of every tax dollar. RUS relationship with its supplemental lenders must remain strong. Perhaps there is no better example of the spirit of partnership and cooperation than the joint effort between RUS and the National Weather Service to extend the reach and reception of NOAA weather radio. The RUS "Tower and Power" program is recruiting borrowers to donate tower space and power supply to NOAA weather radio transmitters and to promote the use of weather radio. I am very pleased that President Clinton has included funding for new transmitters in both his supplemental appropriations request and the 2001 budget. The RUS/National Weather Service partnership has and will save lives.

In conclusion, Mr. Chairman I thank you and the Committee for its unwavering support for the Rural Utilities Service and for keeping alive the spirit and vision of George Norris.

Statement of Senator Max Baucus
Senate Agriculture Committee Hearing on the
Nomination of Christopher McLean to the Administrator of the Rural Utilities Service
April 11, 2000

Mr. Chairman,

I speak today to support the nomination of Christopher McLean to the position of Administrator of the Rural Utilities Service.

And what better candidate for the Administrator than someone who hailed from the home state of one of the original authors of the Rural Electrification Act, the distinguished Senator from Nebraska, George Norris.

Mr. McLean's longstanding record of working on issues of great concern to rural America makes him an excellent candidate for the position. Mr. McLean understands the importance of reliable affordable rural utility infrastructure in promoting economic development and improving health care and education.

Recognizing his expertise in rural telecommunications issues, the Federal Communications Commission recently appointed Mr. McLean to the Rural Task Force which will assist the FCC in the review of the universal service plan for rural telecommunications carriers.

For the past two and half years, Mr. McLean worked with the Rural Utilities Service ("RUS"), first as Deputy Administrator of Telecommunications, and currently as Acting Administrator and as Acting Governor of the Rural Telephone Bank. Throughout his tenure at the RUS, he has been very effective on a wide range of rural utility issues, including those related to electric, telecommunications, and water and environmental programs.

Prior to joining the Rural Utilities Service, Mr. McLean worked in the Senate for fifteen and a half years, both for Senator James Exon and Senator Bob Kerrey. Throughout his tenure, Mr. McLean worked on telecommunications, budget, transportation, and trade issues. In fact he worked closely with many of us in helping to craft the universal service and rural provisions of the Telecommunications Act of 1996.

I am confident that Mr. McLean has the necessary knowledge and experience to effectively lead the Rural Utilities Service into the 21st Century.

Chris McLean has an excellent reputation in the Senate. He has served both Senator Exon and with Bob Kerrey with distinction. He has spent years dealing with issues of importance to Rural America. He cares about Rural America and he has a genuine understand of what is and what is not possible. Clearly, he knows how the Congress works. And I believe his relatively brief experience down at USDA has demonstrated a real skill at working within that bureaucracy.

The Rural Utilities Service is of great importance, providing crucial assistance for rural water and sewer systems, the RECs as well as rural telephone companies and coops. Frankly, with the higher costs of providing basic infrastructure in rural America where the number of customers per mile of line or water pipe are few, without the assistance of the RUS, our ability to maintain businesses and a decent quality of life would be a lot harder.

In many counties in the upper Midwest, our population continues to decline. The cost's of providing for basic utilities get's relatively higher. But, new opportunities through technology and through a growing understanding of the great life that can be had living in a small town and the country continue to provide for real opportunity.

Chris: Once confirmed, you will have a difficult job, an important job, and one in which, I know, you will do very well.

DOCUMENTS SUBMITTED FOR THE RECORD

April 11, 2000

QUESTIONNAIRE FOR UNITED STATES DEPARTMENT OF AGRICULTURE NOMINEES
BIOGRAPHICAL INFORMATION (PUBLIC)

1. Full name (include any former names used).

   Christopher A. McLean

2. Address: List current place of residence and office address(es). List all office and home telephone numbers where you may be reached.

   Washington Address:

   4701 Davenport St., NW
   Washington, D.C.
   20016
   (202) 237-2181

   Nebraska Address:

   1620 S. 138th St.
   Omaha, Nebraska
   68144
   (402) 333-2614

   Work Address:

   The Rural Utilities Service
   United States Department of Agriculture
   1400 Independence Ave., SW
   Washington, D.C.
   20250
   (202) 720-9540

3. Date and place of birth.

   March 21, 1958
   Chicago, Ill.

4. Marital Status (include maiden name of wife or husband's name). List spouse's occupation, employer's name and business addresses).

Married

Hae Kyung (Helen) McLean

Maiden name: Oh

Occupation: Attorney Advisor

Place of Employment: The Federal Communication Commission
Mass Media Bureau
Audio Services Division
445 12th St., SW
Washington, D.C. 20554

5. Education: List each college and graduate or professional school you have attended, Including dates of attendance, degrees received, and dates degrees were granted.

Creighton University
College of Business Administration
Omaha, Nebraska
1976-80
BSBA 1980

Creighton University
School of Law
Omaha, Nebraska
1979-82
JD 1982

Georgetown University
School of Law
Washington, D.C.
1982-85
LL.M (International and Comparative Law) 1985

Also attended:

Oxford University Summer Law Program
(Sponsored by and credit given by Florida State University)
Credits to JD degree - Creighton University School of Law.

6. Employment Record: List (by year) all business or professional corporations, companies, firms, or other enterprises, partnerships, institutions and organizations, nonprofit or otherwise, including farms, with which you were connected as an officer, director, partner, proprietor, or employee since graduation from college; include a title and brief job description.

Acting Administrator
Rural Utilities Service and
Acting Governor of the Rural Telephone Bank
United States Department of Agriculture
Nov. 1999 - Present.

Deputy Administrator and
Deputy Governor of the Rural Telephone Bank
Rural Utilities Service
United States Department of Agriculture
Jan. 1998- Nov. 1999

The responsibilities of the Acting Administrator and Deputy Administrator of the Rural Utilities Service and Acting Governor and Deputy Governor of the Rural Telephone Bank include developing and implementing policies related to the programs of the agency and bank and managing the operations of the agency and bank. The Rural Utilities Service manages a loan portfolio in excess of $42 billion and a program of about $4 billion a year. We have over 9000 active projects in rural electric, water, wastewater, telecommunications and distance learning-telemedicine projects throughout the United States, its territories and in Western Pacific nations under Compacts of Free Association.

Legislative Counsel
The Office of Senator Bob Kerrey
United States Senate
1997

Legal Counsel and Legislative Assistant
The Office of Senator Jim Exon
United States Senate
1983-1996

Legislative Intern
The Office of Senator Jim Exon
United States Senate
1982

My Responsibilities as a Senate staffer included a wide range of duties to help the Senator implement his legislative agenda and serve the citizens of Nebraska. I advised

Senators Exon and Kerrey on legal issues and legislation before Congress; drafted legislation, speeches and correspondence for the Senators; represented the Senators at speaking engagements and public gatherings; negotiated on their behalf and assisted Nebraskans deal with the federal government.

Legal Intern
U.S. Attorney's Office
Omaha, Nebraska
Spring 1982 (For Law School Credit)

During this law school internship I assisted the U.S. Attorney's office with research and drafting. I also had the opportunity to appear before the District Court on at least one occasion when a defendant entered a plea.

Summer Associate
Shugart Thomson & Killroy
Kansas City, Mo.
Summer 1981

I assisted in the research and drafting of legal documents.

Sales Associate
J.L. Brandeis Department Store
Omaha, Nebraska
1975-82

I sold men's clothing at what was then Omaha's largest Department Store. I won the "B-Club Award" for outstanding salesmanship in 1979 and 1980.

7. Military Service: Have you had any military service? If so, give particulars, including the dates, branch of service, rank or rate, serial number and type of discharge received.

No

8. Government Service: State (chronologically) your government service or public offices you have held, including the terms of service grade levels and whether such positions were elected or appointed.

Acting Administrator
Rural Utilities Service and
Acting Governor of the Rural Telephone Bank
United States Department of Agriculture
Nov. 1999 - Present.
(Presidential Appointment; Grade: SES)

Deputy Administrator and
Deputy Governor of the Rural Telephone Bank
Rural Utilities Service
United States Department of Agriculture
Jan. 1998- Nov. 1999
(Presidential Appointment; Grade: SES)

Legislative Counsel
The Office of Senator Bob Kerrey
United States Senate
1997
(Appointed)

Legal Counsel and Legislative Assistant
The Office of Senator Jim Exon
United States Senate
1983-1996
(Appointed)

Legislative Intern
The Office of Senator Jim Exon
United States Senate
1982
(Appointed)

Legal Intern
U.S. Attorney's Office
Omaha, Nebraska
Spring 1982
(Accepted into the program for Law School credit)

9. Honors and Awards: List any scholarships, fellowships, honorary degrees, and honorary society memberships that you received and believe would be of interest to the Committee.

Member of Alpha Sigma Nu (Jesuit Honor Society)
Best Brief - International Law Moor Court Intramural Competition 1980 and Midwest Regional competition 1982.
Law Review 1980-82.

10. Other Memberships: List all organizations to which you belong, excluding religious organizations.

American Bar Association 1982-Present;
Nebraska Bar Association 1982-Present;
DC Bar Association 1985-Present;
Capital Historical Society 1996;
Creighton University Alumni Chapter (past President);
Smithsonian Associates 1999 -;
Train Collectors Association 1999;
Nebraska Society of Washington, D.C. 1998-

11. Published Writings: List the titles, publishers, and dates of books, articles, reports, or other published materials (including published speeches) you have written. Please include on this list published materials on which you are listed as the principal editor. It would be helpful to the Committee if you could provide one copy of all published material that may not be readily available. Also, to the maximum extent practicable, please supply a copy of all unpublished speeches you made during the past five years on issues involving agriculture, nutrition, forestry or commodity futures policy or related matters.

a) Civil Rights, 14 Creighton Law Review 1037 (1981);
b) Run-off Elections and the Voting Rights Act, 24 Creighton Law Review (1991);
c) The Federal Deficit: The Sins of the 1980's Crippling the Nation in the 1990's, 69 Toronto Studies in Theology (Congress of Social Economics, 1991) 575 (1994);
d) Comment published on the Exon-Florio law in Japanese Investment in the U.S.: American Responses - Conference Proceedings, 11/15/89, Edwin O. Reischauer Center for East Asian Studies, Nitze School of Advanced International Studies, 91 (1989).
e) Season's Greetings - Winter 1997 Demo Memo - Nebraska Democratic Party.
f) Placement: Snags in Interview Process, Georgetown Law Weekly, 10/18/82.
g) Financing the Information Revolution in Rural America, (w/Jon Claffey), Rural Telecommunications, May/June 1998.

12. Health: What is the present state of your health?

Good.

FINANCIAL DATA AND CONFLICT OF INTEREST (PUBLIC)

1. Have you severed all connections with your immediate past private sector employers, business firms, associations, and/or organizations?

   Yes.

2. List sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock options, incompleted contracts and other future benefits which you expect to derive from previous business relationships, professional services, firm memberships, former employers, clients, or customers.

   None other than federal Civil Service Retirement System pension and Thrift Savings Plan benefits.

3. Do you, or does any partnership or closely held corporation in which you have an interest, own or operate a farm or ranch? (if yes, please give a brief description including location, size and type of operation.)

   No.

4. Have you, or any partnership or closely held corporation in which you have an interest, ever participated in Federal commodity price support programs? (If yes, provide all details including amounts of direct government payments and loans received or forfeited by crop and farm, etc. during the past five years.)

   No.

5. Have you, or any partnership or closely held corporation in which you have an interest, ever received a direct or guaranteed loan from or cosigned a note to the Rural Business Service, Rural Housing Service, the Rural Utilities Service or their predecessor agencies, the Farmers Home Administration, the Rural Development Administration, the Rural Housing and Cooperative Development Service or the Rural Electrification Administration? (If yes, give details of any such loan activity during the past 5 years.)

   No.

6. Have you, or any partnership or closely held corporation in which you have an interest, ever received payments for crop losses from the Federal Crop Insurance program? (If yes, give details.)

   No.

7. If confirmed, do you have any plans, commitments, or agreements to pursue outside employment or engage in any business or vocation, with or without compensation, during your service with the government? (If so, explain.)

   No.

8. Do you have any plans to resume employment, affiliation, or practice with your previous employers, business firms, associations, or organizations after completing government service? (if yes, give details.)

   No.

9. Has anyone made a commitment to employ you or retain your services in any capacity after you leave government service? (If yes, please specify.)

   No.

10. Identify all investments, obligations, liabilities, or other relationships which involve potential conflicts of interest in the position to which you have been nominated.

    None.

11. Have you ever received a government guaranteed student loan? If so, has it been repaid?

    I have not received a government guaranteed student loan.

12. If confirmed, explain how you will resolve any potential conflict of interest, including any that may be disclosed by your responses to the above items.

    If a potential conflict of interest existed, I would recuse myself from any decision involving that matter. The decision would be made by the person next in line pursuant to the existing delegation of authority.

    If there were any doubt about a potential conflict, I would consult with the office of ethics and follow their advice.

United States
Office of Government Ethics
1201 New York Avenue, NW., Suite 500
Washington, DC 20005-3917

February 14, 2000

The Honorable Richard G. Lugar
Chairman
Committee on Agriculture, Nutrition,
and Forestry
United States Senate
Washington, DC 20510-6000

Dear Mr. Chairman:

In accordance with the Ethics in Government Act of 1978, I enclose a copy of the financial disclosure report filed by Christopher A. McLean, who has been nominated by President Clinton for the position of Administrator, Rural Utilities Service, United States Department of Agriculture.

We have reviewed the report and have also obtained advice from the Department of Agriculture concerning any possible conflict in light of its functions and the nominee's proposed duties.

Based thereon, we believe that Mr. McLean is in compliance with applicable laws and regulations governing conflicts of interest.

Sincerely,

Stephen D. Potts

Stephen D. Potts
Director

Enclosure

5 CFR Part 2634
U.S. Office of Government Ethics

Executive Branch Personnel PUBLIC FINANCIAL DISCLOSURE REPORT

OMB No. 3209-0001

Date of Appointment, Candidacy, Election or Nomination (*Month, Day, Year*): February 9, 2000	Reporting Status (*Check Appropriate Boxes*): [ ] Incumbent; Calendar Year Covered by Report:	[X] New Entrant, Nominee, or Candidate	[ ] Termination Filer	Termination Date (*If Applicable*) (*Month, Day, Year*):	Agency Use Only	
Reporting Individual's Name	Last Name: McLean	First Name and Middle Initial: Christopher A.			OGE Use Only: FEB 10 2000	
Position for Which Filing	Title of Position: Administrator	Department or Agency (*If Applicable*): Rural Utilities Service (RUS), USDA				
Location of Present Office (or forwarding address)	Address (*Number, Street, City, State, and ZIP Code*): 1400 Independence Ave, SW, Stop 1510, Washington, DC 20250	Telephone No. (*Include Area Code*): (202) 720-9542				
Position(s) Held with the Federal Government During the Preceding 12 Months (If Not Same as Above)	Title of Position(s) and Date(s) Held: Deputy Administrator, RUS					
Presidential Nominees Subject to Senate Confirmation	Name of Congressional Committee Considering Nomination: Agriculture, Nutrition, and Forestry	Do You Intend to Create a Qualified Diversified Trust? [ ] Yes [ ] No				
Certification: I CERTIFY that the statements I have made on this form and all attached schedules are true, complete and correct to the best of my knowledge.	Signature of Reporting Individual: [signature]	Date (*Month, Day, Year*): 1/21/00				
Other Review (If desired by agency)	Signature of Other Reviewer:	Date (*Month, Day, Year*):				
Agency Ethics Official's Opinion: On the basis of information contained in this report, I conclude that the filer is in compliance with applicable laws and regulations (subject to any comments in the box below).	Signature of Designated Agency Ethics Official/Reviewing Official: [signature]	Date (*Month, Day, Year*): 1/21/00				
Office of Government Ethics Use Only: 2-19-00	Signature: Stephen D. Potts	Date (*Month, Day, Year*): 2-14-000				

Comments of Reviewing Officials (*If additional space is required, use the reverse side of this sheet*)

(*Check box if comments are continued on the reverse side*) [ ]

Fee for Late Filing
Any individual who is required to file this report and does so more than 30 days after the date the report is required to be filed, or, if an extension is granted, more than 30 days after the last day of the filing extension period shall be subject to a $200 fee.

Reporting Periods
Incumbents: The reporting period is the preceding calendar year except Part II of Schedule C and Part I of Schedule D where you must also include the filing year up to the date you file. Part II of Schedule D is not applicable.

Termination Filers: The reporting period begins at the end of the period covered by your previous filing and ends at the date of termination. Part II of Schedule D is not applicable.

Nominees, New Entrants and Candidates for President and Vice President:

Schedule A—The reporting period for income (BLOCK C) is the preceding calendar year and the current calendar year up to the date of filing. Value assets as of any date you choose that is within 31 days of the date of filing.

Schedule B—Not applicable.

Schedule C, Part I (Liabilities)—The reporting period is the preceding calendar year and the current calendar year up to any date you choose that is within 31 days of the date of filing.

Schedule C, Part II (Agreements or Arrangements)—Show any agreements or arrangements as of the date of filing.

Schedule D—The reporting period is the preceding two calendar years and the current calendar year up to the date of filing.

Exception to SF278 Approved by GSA/IRMS (7/94)
5 CFR Part 2634
U.S. Office of Government Ethics

Reporting Individual's Name: McLean, Christopher A.

SCHEDULE A

Page Number: 2

Assets and Income — BLOCK A

Identify each asset held by you, your spouse, or dependent children for the production of income which had a fair market value exceeding $1,000 at the close of the reporting period.

Identify each asset or source of income held by you, your spouse, or dependent children which generated over $200 in income during the reporting period.

None ☐

Valuation of Assets at close of reporting period — BLOCK B

Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item.

BLOCK C — Type

BLOCK C — Amount

	Assets and Income	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000	Dividends	Rent and Royalties	Interest	Capital Gains	Excepted Investment Fund	Excepted Trust	Qualified Trust	Other (Specify Type)	None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000	Actual Amount (Only if "Other" specified)	Date (Mo., Day, Yr.) (Only if Honoraria)
Examples	Central Airlines Common				x					x										x								
	Doe Jones & Smith, Hometown, State			x													Law Partnership Income										$130,000	
	Kempstone Equity Fund					x								x							x							
	IRA: Heartland 500 Index Fund							x						x								x						
1	Agriculture Federal Credit Union Savings Account		X									X						X										
2	U.S. Senate Federal Credit Union Savings and Checking Accounts		X									X							X									
3	Vanguard Star Fund			X										X						X								
	Vanguard 500 Fund		X											X				X										
4	Janus Fund			X										X							X							
	Janus Twenty Fund		X											X					X									
5	Janus Mercury Fund			X										X							X							
	Janus Special Situations Fund		X											X					X									
6	Janus WorldWide Fund		X											X					X									
S	Janus Mercury Fund		X											X				X										

1/91 Edition Can Be Used; Editions Prior to 1/91 Cannot Be Used.

Exception to SF278 Approved by GSA/IRMS (7/94)
5 CFR Part 2634 —
U.S. Office of Government Ethics

Reporting Individual's Name: McLean, Christopher A.

SCHEDULE A continued

Page Number: 3

Block A: Assets and Income	Block B: Valuation of Assets							Block C: Income: Type							Block C: Amount									
Identify each asset held for the production of income which had a fair market value exceeding $1,000 at the close of the reporting period. Identify each asset or source of income which generated over $200 in income during the reporting period.	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000	Dividends	Rent and Royalties	Interest	Capital Gains	Excepted Investment Fund	Excepted Trust	Qualified Trust	Other (Specify Type)	None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000	Actual Amount Only if "Other" specified	Date (Mo., Day, Yr.) Only if Honoraria
1 General Motors stock		X							X								X				*						
McDonald's stock		X							X								X										
2 Tricon Group stock		X							X								X										
Eastman Kodak stock		X							X								X										
3 Pepsico stock			X						X									X									
U.S. Savings Bonds (EE & I)			X								X						X										
4 Prudential Life Insurance Policy (Death Benefit)		X									X						X										
5																											
6																											
7																											
8																											
9																											

1/91 Edition Can Be Used; Editions Prior to 1/91 Cannot Be Used.

Exception to SF278 Approved by GSA/IRMS (7/94)
5 CFR Part 2634
U.S. Office of Government Ethics

Reporting Individual's Name		Page Number
McLean, Christopher A.	**SCHEDULE C**	4

Part I: Liabilities

Report liabilities over $10,000 owed to any one creditor at any time during the reporting period by you, your spouse, or dependent children. Check the highest amount owed during the reporting period. **Exclude** a mortgage on your personal residence unless it is rented out; loans secured by automobiles, household furniture or appliances; and liabilities owed to certain relatives listed in instructions. See instructions for revolving charge accounts.

None [X]

	Creditors (Name and Address)	Type of Liability	Date Incurred	Interest Rate	Term if applicable	Category of Amount or Value (x): $10,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000
Examples:	First District Bank, Washington, DC	Mortgage on rental property, Delaware	1981	13 %	25 yrs.			x				
	John Jones, 123 J St., Washington, DC	Promissory note	1989	10 %	on demand					x		
1												
2												
3												
4												
5												

Part II: Agreements or Arrangements

Report your agreements or arrangements for:
(1) continuing participation in an employee benefit plan (e.g. pension, 401K, deferred compensation); (2) continuation of payment by a former employer (including severance payments); (3) leaves of absence; and (4) future employment. See instructions regarding the reporting of negotiations for any of these arrangements or benefits.

None [X]

	Status and Terms of any Agreement or Arrangement	Parties	Date
Example:	Pursuant to partnership agreement, will receive lump sum payment of capital account & partnership share calculated on service performed through 11/91.	Doe Jones & Smith, Hometown, State	7/85
1			
2			
3			
4			
5			
6			

1/91 Edition can Be Used; Editions Prior to 1/91 Cannot Be Used

Exception to SF278 Approved by OSC/OGE (1/94)
5 CFR Part 2638
U.S. Office of Government Ethics

Reporting Individual's Name	SCHEDULE D	Page Number
McLean, Christopher A.		5

Part I: Positions Held Outside U.S. Government

Report any positions held during the applicable reporting period, whether compensated or not. Positions include but are not limited to those of an officer, director, trustee, general partner, proprietor, representative, employee, or consultant of any corporation, firm, partnership, or other business enterprise or any non-profit organization or educational institution. **Exclude** positions with religious, social, fraternal, or political entities and those solely of an honorary nature.

None [X]

	Organization (*Name and Address*)	Type of Organization	Position Held	From (Mo., Yr.)	To (Mo., Yr.)
Examples:	Nat'l Assn. of Rock Collectors, NY, NY	Non-profit education	President	6/82	Present
	Doe Jones & Smith, Hometown, State	Law firm	Partner	7/85	11/91
1					
2					
3					
4					
5					
6					

Part II: Compensation In Excess Of $5,000 Paid by One Source

Report sources of more than $5,000 compensation received by you or your business affiliation for services provided directly by you during any one year of the reporting period. This includes the names of clients and customers of any corporation, firm, partnership, or other business enterprise, or any other non-profit organization when you directly provided the services generating a fee or payment of more than $5,000. You need not report the U.S. Government as a source.

Do not complete this part if you are an Incumbent, Termination Filer, or Vice Presidential or Presidential Candidate

None [X]

	Source (*Name and Address*)	Brief Description of Duties
Examples:	Doe Jones & Smith, Hometown, State	Legal services
	Metro University (client of Doe Jones & Smith), Moneytown, State	Legal services in connection with university construction
1		
2		
3		
4		
5		
6		

1/91 Edition Can Be Used; Editions Prior to 1/91 Cannot Be Used.

OPASTCO

ORGANIZATION
FOR THE PROMOTION
AND ADVANCEMENT
OF SMALL
TELECOMMUNICATIONS
COMPANIES

April 7, 2000

The Honorable Richard G. Lugar, Chairman
Senate Committee on Agriculture, Nutrition & Forestry
328-A Russell Senate Office Building
Washington, DC 20510-1401

Dear Mr. Chairman:

The Organization for the Promotion and Advancement of Small Telecommunications Companies (OPASTCO) is pleased to support the nomination of Christopher McLean to serve as Administrator of the Rural Utilities Service (RUS). OPASTCO represents over 500 small, independently owned local telecommunications carriers serving rural areas throughout the country.

Prior to, and throughout his tenure at RUS, Mr. McLean has demonstrated his knowledge of, and concern for, the unique challenges of small telecommunications carriers serving high-cost rural areas. Mr. McLean recognizes that access to quality telecommunications services in rural areas accrues value not only to those customers, but also to their urban counterparts who have the ability to communicate with equal ease to anyone across the country, regardless of location. The continued success of RUS's telecommunications loan programs is vital to building the information superhighway in communities that are isolated and thinly populated. The funds loaned by RUS permit rural carriers to leverage substantial private capital, creating public/private partnerships. For a very small cost, the government is encouraging tremendous amounts of private investment in rural telecommunications infrastructure. Moreover, there has never been a default in the history of the telecommunications lending programs. OPASTCO hopes to continue working with Mr. McLean in pursuit of the goals set forth in the Telecommunications Act of 1996 to provide rural consumers with affordable, quality telecommunications services that are comparable to those provided in urban areas.

Sincerely,

Stuart Polikoff

Stuart Polikoff
Director, Government Relations

21 Dupont Circle, NW
Suite 700
Washington, DC 20036
202.659.5990
Fax 202.659.4619
http://www.opastco.org

NOMINATION OF MICHAEL VINCENT DUNN TO BE MEMBER, FARM CREDIT ADMINISTRATION

THURSDAY, APRIL 27, 2000

U.S. SENATE,
COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY,
Washington, DC.

The Committee met, pursuant to notice, at 9:01 a.m., in room SD–106, Dirksen Senate Office Building, Hon. Richard G. Lugar, (Chairman of the Committee), presiding.

Present or submitting a statement: Senators Lugar, Roberts, Grassley, Harkin, Leahy, Conrad, and Baucus.

STATEMENT OF HON. RICHARD G. LUGAR, A U.S. SENATOR FROM INDIANA, CHAIRMAN, COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

The CHAIRMAN. This hearing of the Senate Agriculture Committee will come to order. The Committee will meet on two matters this morning. The first will be a confirmation hearing for Michael V. Dunn to be a member of the Farm Credit Administration Board.

I would just say parenthetically that it has been the policy of our committee to take up nominations by the administration as promptly as we could following submission of the proper paperwork and notification by the Secretary of Agriculture or others in the administration that were responsible. So we are doing that, even though we have a very important second mission today, and that is a hearing on concentration and competition in agriculture, this being the fourth hearing on this subject the Committee has conducted in the year 2000.

First, the confirmation of Mr. Dunn. A native of Iowa, Mr. Dunn serves currently as the Under Secretary for Marketing and Regulatory Programs at the United States Department of Agriculture. Prior to that, he was Deputy Under Secretary for Operations and Management in the rural economic and community development mission at USDA. In addition, he has served as Administrator of the former Farmers Home Administration at the Department of Agriculture.

Mr. Dunn is no stranger to this committee. From 1987 to 1988 he worked as a professional staff member under the chairmanship of Senator Leahy. The availability, efficiency, and affordability of agricultural credit remains a very important issue to members of this committee and to American agriculture in general. As a member of the Farm Credit Administration Board, Mr. Dunn would

play an important role in the future of farm credit. We are pleased to have him before the Committee today. We look forward to hearing from him.

Before recognizing Mr. Dunn for his statement, let me recognize my colleague, Senator Grassley, for any comment he might wish to make about Mr. Dunn prior to my swearing in the witness and hearing his testimony. Senator Grassley?

STATEMENT OF HON. CHARLES E. GRASSLEY, A U.S. SENATOR FROM IOWA

Senator GRASSLEY. Well, I have had an opportunity to speak about Mr. Dunn many times that he has been before this committee and to remind people that he is from my home State of Iowa, and we congratulate him on his appointment. More importantly, we compliment him on doing a very good job in several different capacities here, both in the private sector and the public sector, doing things for agriculture. And we know that in his further position that he is going to still continue his outstanding work for agriculture.

The CHAIRMAN. Thank you very much, Senator.

Would you rise, Mr. Dunn, and please raise your right hand? Do you swear that the testimony you are about to present is the truth, the whole truth, and nothing but the truth, so help you God?

Mr. DUNN. I do.

The CHAIRMAN. Thank you.

Let me mention that Mr. Dunn is accompanied today by his wife, Brook, and two of their sons, Matt and Carey. Would you please stand and be recognized? Thank you very much for coming to this hearing.

Mr. Dunn, you are recognized for your opening testimony.

TESTIMONY OF MICHAEL VINCENT DUNN, OF WEST VIRGINIA, TO BE MEMBER, FARM CREDIT ADMINISTRATION

Mr. DUNN. Thank you very much, Mr. Chairman, and thank you for the kind words from Senator Grassley.

I am honored to be nominated by the President for the appointment to the Board of the Farm Credit Administration. I am very grateful to the chairman and the Committee for holding this nomination hearing.

This will be the third time that I have appeared before this committee for a nomination: once in 1993 to become the Administrator of Farmers Home Administration, and again in 1995 for confirmation as a member of the Commodity Credit Corporation and as the Assistant Secretary for Agriculture for Marketing and Regulatory Programs.

Mr. Chairman, as a former member of the professional staff of this committee, I know how hard you and the Committee worked in 1987 to address the agricultural credit crisis that faced this Nation. Hours of hearings, markups, and conference meetings with the House resulted in the passage of one of the most successful pieces of legislation ever crafted by this committee.

As a result of the Committee's hard work, we now have a revitalized Federal lending institution at the Farm Service Agency, a viable secondary market at Farmers Mac for commercial banks, and

a strong cooperative lending institution in the Farm Credit System that not only repaid its Federal obligations in full but did it ahead of schedule. Thanks to this committee, we have a healthy, well-capitalized Farm Credit System with the added safety of an insurance fund.

Today, the Farm Credit System holds about 27-percent of the $172.8 billion of farm debt, according to Economic Research Service's December 1999 Agricultural Income and Finance Situation Outlook Report. However, this same report warns that persistence in low commodity prices in 2000 will aggravate cash flow problems in farm businesses. At least one in four farm businesses will not cover cash expenses. This warning should be of great concern to the Farm Credit System as it is chartered as a single-purpose lending institution for agricultural credit. It should also be of concern to our Federal Government because of the special status that the Farm Credit System holds as a Government-sponsored entity.

Given the dependency of agriculture on credit and the volatility of today's commodity prices, I believe it is imperative to have all the board members of the Farm Credit Administration positions filled. This board has an important role to fulfill. As stated in the Agency's mission statement, the Farm Credit Administration will provide a safe and sound competitive Farm Credit System to finance agriculture in rural American as authorized by Congress.

Mr. Chairman, I believe that my background in rural development, agricultural credit, and regulatory programs, coupled with the valuable experience gained while working for this committee on agricultural credit, would allow me to provide a positive contribution as a member of the board of the Farm Credit Administration. Once again, I appreciate the time and effort of the chairman, the Committee, and the staff in holding this hearing. I will be happy to answer any questions that you might have.

The CHAIRMAN. Thank you very much, Mr. Dunn.

My first question is the question we always raise with each nominee. Do you agree that, if confirmed, you will appear before any duly constituted committee of Congress if asked?

Mr. DUNN. I do agree.

The CHAIRMAN. I thank you for that response.

Let me just mention as background for this nomination that there are, in fact, two nomination items, both involved yourself. One is for the unexpired term of the late Marsha Martin, and that term expires October 13 this year, 2000. You have also been nominated for a 6-year term following the expiration of that first term. The normal term of each member of this board is 6-years, and there are three members of the board.

Now, currently, the other members of the board are Ann Jorgensen, a Republican, whose term expires May 21, 2002, and Mr. Michael Reyna, a Democrat, whose term expires May 21, 2004. The second term for which you are being nominated would expire apparently in 2006, October 13, 2006.

Now, the predicament is simply this, and that is that you would be nominated and potentially confirmed for a term that carries through the next administration, that is, the next President of the United States, and into the following term of that President or his or her successor, as the case may be. And there are just three

members of the board—one of them a Democrat, one a Republican. Mr Reyna, a Democrat, his term carries through all the way to May 21, 2004.

Therefore, if you were confirmed for the second term of two Democrats, a majority, two out of three of the board, are confirmed really through almost the entirety of that next administration. I raise that question not in any derogatory fashion with regard to your nomination, but just simply from the standpoint of the fact we are having an election in this country this year, which there may be a Republican nominee elected or there may be a Democratic nominee elected.

In the latter case, presumably a Democratic nominee, Mr. Gore, might very well wish for you to continue. The Republican nominee, Mr. Bush, might not. He might prefer to have two Republicans as board members, which I think is a reasonable and logical assumption.

So I am not certain what the Committee's disposition ought to be of this. I raise this for members to consider. If they don't consider it in this committee, they certainly will consider it on the floor of the Senate, and it is an issue I think the administration needs to consider. But notwithstanding that, we wanted to have the hearing in good faith to make certain that we move the nomination in a proper way so that all of the issues with regard to your qualifications were clear. And so if it is the will of the Committee, we could have a markup and consideration then by the full Senate of both nominations or one nomination, as the case may be.

But I mention that, not really asking for your comment, but simply as the lay of the land of a political situation that has arisen as we consider the nomination.

Mr. DUNN. Mr. Chairman.

The CHAIRMAN. Yes.

Mr. DUNN. If I could briefly respond to that, because I think it is a grave consideration for the Committee and for the administration as a whole.

I know this committee during my tenure working here has always been very, very bipartisan. I think everybody involved in it, staff members are aggies first and then something else later on, and that has worked very, very well for this particular committee.

I have been nominated in the past by a Republican Governor to serve on State boards, and I consider myself a professional in this arena, and I would certainly want to carry out in a bipartisan manner the mandates of Congress.

Notwithstanding that, I think there is also another consideration here. There was recently an article about the length of time it takes for nominations to be made, and having gone through this process for the third time, I can say amen to that. It does take a considerable amount of time. It is not unheard of for nominations to go a year or longer.

I think that the volatility that we currently have in commodity prices simply dictates that we need to have these positions filled, and we cannot wait the length of time it would take to get a fulfillment. Even if there was a new administration getting a new person in there, this is not probably a top priority for any administration.

It is always to get the Secretaries filled immediately. So it may not be until 2002 that we would have a position filled here.

So I think it is extremely important that we have for the sake of agriculture, agricultural credit, and the Farm Credit System that board fully filled.

The CHAIRMAN. I appreciate that comment. My own view is that we always have tried on this committee to fill every position simply because all of our boards and the administration of USDA works better with nominees in place. I would mention that at least it has been the usual policy in the Farm Credit Administration that after a term expires, unless there is someone nominated, or at least immediately available—and this is at the discretion of the office holder at the time—that person continues until a successor, maybe himself, is renominated and confirmed.

But, in any event, this is simply a preliminary issue without regard to qualification, and I want to fence it off in that way.

Let me ask about qualifications. What do you consider your major accomplishments during your tenure as Under Secretary of Marketing and Regulatory Programs at USDA or at the Farmers Home Administration? Can you give some flavor of those achievements?

Mr. DUNN. Well, let me start with the Farmers Home Administration, because that was at a point in time when we were doing a restructuring of USDA and I was responsible for that total restructuring and moving Farmers Home, the old Farmers Home Administration into the new Farm Service Agency. And that was a major accomplishment, getting that through and ensuring that it took place with as little disruption as possible.

Also, for years and years, Farmers Home was known as the lender of last resort, and that always bothered me because I thought that it really should have been the lender of first opportunity for people. And for them to be able to do that, that would mandate that the men and women who worked for Farmers Home Administration offer supervised credit for the recipients of FmHA and now Farm Service Agency loans. These are folks that could not get loans from other commercial lending institutions.

And so one of the major pushes that I had as Administrator was to ensure that we had supervised credit which would thus provide a greater opportunity for those folks to succeed and eventually graduate into commercial credit.

As the Under Secretary for Marketing and Regulatory Programs, I have had the opportunity to address such issues as concentration that is coming up. I have been in front of this committee three times, I believe, on this particular issue.

The CHAIRMAN. This year.

Mr. DUNN. Yes, Sir. And it is a major concern for us. The organic rule coming out of Ag Marketing Service, the milk marketing order reform, those have been major issues at Marketing and Regulatory Programs. And the overall protection of animal and plant health under APHIS has also been a major concern with the invasive species that we have, ensuring the eradication of such diseases as tuberculosis, brucellosis, pseudorabies, etc.

As the Under Secretary, I was responsible for over one-half of all the statutory laws covering the Department of Agriculture, and

that gave me a great deal of experience in writing regulations and being the chief regulator.

The CHAIRMAN. Thank you very much for those responses.

Let me call—I appreciate you were here first, Senator Conrad, but I want to recognize my colleague, Senator Leahy, the distinguished former Chairman of the Committee and, likewise, a very close friend of our nominee. Senator Leahy?

STATEMENT OF HON. PATRICK J. LEAHY, A U.S. SENATOR FROM VERMONT

Senator LEAHY. Well, thank you, Mr. Chairman. I thank you for your usual courtesy and, Senator Conrad, I thank you, too.

Mike, I have to apologize. I seem to have hit every single wrong street on the way coming in today. In fact, for the traffic reports, all they had to do was put something on my car and they could tell you where every accident occurred. I was not in any of them, but it was always three cars ahead. I wanted to be here right at the opening of this because, Mr. Chairman, I wanted to just say a few words about Mike Dunn, not only one of the most professional people I have ever worked with but also a close personal friend.

I don't get to really introduce him to the Committee. He is Under Secretary of Agriculture. He was on my staff on this committee. He is well-known to everybody on the Committee. He has worked very well with both Republicans and Democrats on this committee. I can't think of a better nominee for this position. I mean that truly.

Mike worked night and day in 1987 for months after month on the Agricultural Credit Act of 1987. You may recall that at the beginning of that, Mr. Chairman, his hair, your hair, and mine were jet black, and you see what happened to all three of us. The only difference is you retained your hair.

[Laughter.]

The CHAIRMAN. So did Mike.

Senator LEAHY. No, but seriously, the Agricultural Credit Act of 1987, that was hailed a landmark legislation by Time Magazine. Mike, I think you remember that. It brought the Farm Credit System back from the brink of financial disaster.

A lot of us worked together on that act along with Mike. Mr. Chairman, you did and Senator Cochran and Daschle and Helms and Harkin, McConnell and I. Not only did we save the Farm Credit System, but I think the thing that gave us all the most pleasure, we did it without costing taxpayers a penny. And Mike helped bring us through all the different things to do that. I think that work alone would make him a great nominee for this job, but he also worked with the farm credit banks of Omaha as vice president, doing an outstanding job as Under Secretary for Marketing and Regulatory Programs.

I am glad to see Brook and Matt and Carey here. It's also "Bring Your Child to Work Day." I want you to know, this is not your Dad's normal workday. He doesn't usually get in here and get praised by everybody. There is always somebody that might send a letter who doesn't really understand what he does and doesn't praise him, but here he will be. It is like Ed Baron who has brought Stephen here to work with him, and others have.

So I hope you will be confirmed quickly, but, Mr. Chairman, I just wanted to make those personal comments because he is a dear friend, but he is also one of the most extraordinarily qualified people I have worked with in my years in the Senate.

The CHAIRMAN. I thank the Senator.

Senator Grassley.

Senator GRASSLEY. I have no questions. I made my comments already, and I will leave it go at that and congratulate him a second time.

The CHAIRMAN. Senator Conrad.

STATEMENT OF HON. KENT CONRAD, A U.S. SENATOR FROM NORTH DAKOTA

Senator CONRAD. Thank you, Mr. Chairman. I want to join Senator Leahy in praising this nominee. I have known Mike Dunn as a consummate professional, both before he served in the administration and during his time in the administration.

I would hope, Mr. Chairman, given the fact we have an opening and we have an administration in place, that we would not shrink from sending this name forward and hopefully that he will receive confirmation.

You know, I do worry about kind of what we see happening to nominees. I hope very much for whatever the next administration is that we find a better way on a bipartisan basis to deal with these nominees, because my observation is both Republican nominees in previous administrations, nominees in this administration, have been put through a tortuous course that doesn't serve anybody very well. And the nomination process has gotten worse and worse and worse from my observation, more partisan, and I am beginning to wonder if anybody is going to want to serve in any of these administrations. We have become so intrusive and so difficult with nominees.

Here we have a case where there is an opening on the Administration that is critically important to the administration of credit for agriculture. We need to have that third position filled. Mr. Dunn is eminently qualified and I think has demonstrated to everybody that he is evenhanded. I have never seen a hint of partisanship, I might say—not a hint of it—in his positions. And I hope we take that into account.

He is a professional. This is an agency that desperately needs professional leadership, and I hope we will treat it in that way.

Finally, Mr. Chairman, if I could say on a personal note, my experiences with Mr. Dunn—I mean, there have been times, frankly, I have disagreed with him, sometimes heatedly, which he will recall. But I have admired him because he has been professional and he is deeply knowledgeable. And goodness knows, with the state of agriculture today, we need that kind of quality and that kind of character.

I thank the Chairman.

Senator LEAHY. Mr. Chairman, if I can just add something to that. One thing, too, that makes a difference is who is—I mean, the responsibility has to be so strongly on members. What Senator Conrad has said is correct. And, Mr. Chairman, at the risk of having you drummed out of the Republican Party, let me say that you

have always been one who has kept his word, who has worked to lower this decibel level.

I am afraid some of us don't, and I think that what Senator Conrad has said is true. We get too intrusive. We get too much the point of almost as though people have some terrible ulterior motive if they want to serve the public interest and want to serve in Government, usually at great financial sacrifice. And I compliment you for what you have done. I think all of us in both parties have got to follow what Senator Conrad has said and tell our leadership and everything else we have got to lower the decibel level.

The CHAIRMAN. I thank the Senator for his comment. I would just thank the Committee, really, for approaching the nominations in a bipartisan fashion. We have, I think, expedited each of the nominations and have brought them to a vote quickly in our committee, and in due course on the Senate floor, they have all been dealt with favorably. I think that is sort of beyond our pay grade, but we will at least in this committee attempt to do the best that we can.

Senator Roberts.

STATEMENT OF HON. PAT ROBERTS, A U.S. SENATOR FROM KANSAS

Senator ROBERTS. Thank you, Mr. Chairman. I like Mike and wish him well.

I yield back.

[Laughter.]

The CHAIRMAN. Senator Baucus.

Senator BAUCUS. Did you say "Mike" or "Ike"?

[Laughter.]

Senator ROBERTS. Well, both, if you want to bring it up.

STATEMENT OF HON. MAX BAUCUS, A U.S. SENATOR FROM MONTANA

Senator BAUCUS. Mr. Chairman, all of us know Mike Dunn and have the very same view. I cannot think of anybody that I have met and dealt with in this administration or any other who is more—the word "professional" has been used here. That is certainly accurate. I would add a few more adjectives. One is he is very open. He has always got an open mind. He is always thinking and asking what you have on your mind, not closed-minded or dogmatic.

In addition to that, he is always upbeat, always optimistic, always trying to find a solution, which is, I think, a hallmark of a very good public servant, serving, trying to find answers to some of these problems. And he is certainly one who knows agriculture backwards, forwards, and inside out, just really a good guy.

Whatever you do, Mike, I wish you very well, and I hope this nomination proceeds very quickly, and in other jobs you have in life, I know you will do well, and I wish you the very best.

Mr. DUNN. Thank you, Senator.

The CHAIRMAN. Thank you very much, Senator Baucus.

Senator Harkin.

STATEMENT OF HON. TOM HARKIN, A U.S. SENATOR FROM IOWA, RANKING MEMBER, COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Senator HARKIN. Thank you very much, Mr. Chairman. I apologize. I went over to the Russell Building for this hearing, and then I figured out it was someplace else. I should look at my schedule.

First of all, I am just proud to have this opportunity to express my strong support for the nomination of Mike Dunn to the board of the Farm Credit Administration. I can tell all of you I have known Mike Dunn for 30-years now—30-years—and I can assure you that he is eminently well qualified for this position. His experience and background in ag credit and all the related matters will serve him well. I can tell you that deep down he has a strong commitment to agriculture and to our farm families, rural communities. He is a very conscientious and dedicated public servant.

I think it would be hard to find anyone with a stronger background in farm credit matters, the positions he has held in the Farm Credit System institutions, area director, Administrator of the former Farmers Home Administration. He did really great work for this committee helping us find solutions to the farm credit crisis of the 1980s, and he worked long hours and long weeks to get over those credit problems in the 1980s.

So, Mr. Chairman, he is eminently well qualified. He will do a great job on the FCA Board, and I hope we can get this nomination through and get him on board in a hurry. He is a great guy. Congratulations, Mike.

Mr. DUNN. Thank you, Senator.

The CHAIRMAN. Thank you very much, Senator Harkin.

Are there any further questions of the nominee by Senators?

[No response.]

Hearing no requests for further comment, we thank you, Mr. Dunn, for appearing before the Committee, and we will try to progress with our consideration of the nomination as promptly as possible.

Mr. DUNN. Thank you, Mr. Chairman. I appreciate that very much.

[Whereupon, at 9:30 a.m., the Committee was adjourned.]

DOCUMENTS SUBMITTED FOR THE RECORD

April 27, 2000

BIOGRAPHICAL INFORMATION (PUBLIC)

1. Full name (include any former names used).

   Michael Vincent Dunn

2. Address: List current place of residence and office address(es). List all office and home telephone numbers where you may be reached.

   1120 Apple Cross Road, Harpers Ferry, WV 25425; 304-728-0186.

   USDA, M&RP, Room 228-W, Washington, DC 20250; 202-720-4256.

3. Date and place of birth.

   9/19/44, Keokuk, IA.

4. Marital Status (include maiden name of wife or husband's name). List spouse's occupation, employer's name and business address(es).

   Married, Suzanne Brook Connable

5. Education: List each college and graduate or professional school you have attended, including dates of attendance, degrees received, and dates degrees were granted.

   St. Ambrose College - 1980 to 1984.

   University of New Mexico - 1968 to 1972 - MPA 1972, BA 1971.

6. Employment Record: List (by year) all business or professional corporations, companies, firms, or other enterprises, partnerships, institutions and organizations, nonprofit or otherwise, including farms, with which you were connected as an officer, director, partner, proprietor, or employee since graduation from college; include a title and brief job description.

   1995 to Present - USDA, MRP - Under Secretary. Responsible for three agencies at USDA, Agricultural Marketing Service (AMS), Animal, Plant Health Inspection Service (APHIS) and Grain Inspection and Packers and Stockyards Administration (GIPSA).

1994 to 1995 - USDA, RECD - Deputy Under Secretary for Operations and Management. Responsible for the daily operations of the RECD mission area.

1993 to 1994 - USDA, FmHA - Administrator. Responsible for total operations of FmHA.

1988 to 1993 - National Farmers Union - Director of the Washington DC office and Vice President of Government Relations. Responsible for Washington DC office and government relations for the National Farmers Union.

1987 to 1988 - U. S. Senate Committee on Agriculture, Nutrition and Forestry - Majority Professional Staff. Responsible for agricultural credit issues.

1984 to 1986 - Farm Credit Banks of Omaha. Vice President for Government Relations. Responsible for government relations for the farm credit bank.

1982 to 1984 - Eastern Iowa Production Credit Association. - Loan officer for large and complex loans. Responsible for loan portfolio of the associations large and complex loans.

1981 to 1982 - Conrad Industries - Vice President for Marketing and Management. Responsible for buying grain and selling products from an ethanol production plant and for marketing similar plants to groups of perspective buyers.

1978 to 1981 - USDA, FmHA - Area Director. Responsible for a nine state FmHA area in the Midwest. Position was FmHA State Director's supervisor responsible for all FmHA activities within the area.

1973 to 1978 - Southeast Iowa Regional Planning Commission and Economic Development District - Executive Director. Responsible for regional and economic development planning and implementation for Southeast Iowa.

1972 to 1973 - City of Keokuk, IA - Administrative Aide to the Mayor and Council - Advisor to the mayor and council on administrative, intergovernmental and economic development matters.

7. Military Service: Have you had any military service? If so, give particulars, including the dates, branch of service, rank or rate, serial number and type of discharge received.

1964 to 1968 - USAF, SSGT, AF17703432, Honorable discharge.

8. Government Service: State (chronologically) your government service or public offices you have held, including the terms of service grade levels and whether such positions were elected or appointed.

1995 to Present - USDA, Under Secretary for Marketing and Regulatory Programs. Executive Level 4. Appointed by the President and Confirmed by the Senate.

1995 to Present - USDA, Member of the Commodity Credit Corporation. Appointed by the President and confirmed by the Senate.

1994 to 1995 - USDA, Deputy Under Secretary for Rural Economic and Community Development. Senior Executive Service. Appointed by the Secretary of Agriculture.

1994 to Present - USDA, Member of the Rural Telephone Bank Board. Appointed by the President.

1993 to 1994 - USDA, Administrator, Farmers Home Administration. Executive Level 5. Appointed by the President and confirmed by the Senate.

1985 to 1986 - Nebraska Uniform Credit Code Committee, Member. Appointed by the Governor.

1981 to 1984 - Iowa Development Commission, Member. Appointed by the Governor and Confirmed by the Senate.

1977 to 1981 - USDA, Midwest Director, Farmers Home Administration. Senior Executive Service. Appointed by the Secretary of Agriculture.

1973 to 1977 - Southeast Iowa Regional Planning Commission and Economic Development District. Executive Director. Appointed by the Executive Board of the Commission.

1973 to 1977 - State of Iowa City Development Board. Chairman. Appointed by the Governor and confirmed by the Senate.

1972 to 1973 - City of Keokuk, IA, Aide to Mayor and Council. Appointed by the Mayor.

9. Honors and Awards: List any scholarships, fellowships, honorary degrees, and honorary society memberships that you received and believe would be of interest to the Committee.

Distinguished Service Award presented by the Governor of Iowa and the Iowa Development Commission.

10. Other Memberships: List all organizations to which you belong, excluding religious organizations.

Iowa Farmers Union and the National Democratic Club.

11. Political Affiliation: The statute creating the Farm Credit Administration requires that no more than two public members of the Board be from the same political party. List your current political party registration or affiliation.

Democrat.

12. Published Writings: List the titles, publishers, and dates of books, articles, reports, or other published materials (including published speeches) you have written. Please include on this list published materials on which you are listed as the principal editor. It would be helpful to the Committee if you could provide one copy of all published material that may not be readily available. Also, to the maximum extent practicable, please supply a copy of all unpublished speeches you made during the past five years on issues involving agriculture, nutrition, forestry or commodity futures policy or related matters.

Various planning and economic development documents for the Southeast Iowa Regional Planning Commission. Various document for the Senate Agriculture Committee and for the National Farmers Union. Various documents for the Department of Agriculture.

13. Health: What is the present state of your health?

Good.

FINANCIAL DATA AND CONFLICT OF INTEREST (PUBLIC)

1. Have you severed all connections with your immediate past private sector employers, business firms, associations, and/or organizations?

   Yes.

2. List sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock options, incompleted contracts and other future benefits which you expect to derive from previous business relationships, professional services, firm memberships, former employers, clients, or customers.

   Pension from National Farmers Union's employee pension program, $1,900 per year.

3. Do you, or does any partnership or closely held corporation in which you have an interest, own or operate a farm or ranch? (If yes, please give a brief description including location, size and type of operation.)

   No.

4. Have you, or any partnership or closely held corporation in which you have an interest, ever participated in Federal commodity price support programs? (If yes, provide all details including amounts of direct government payments and loans received or forfeited by crop and farm, etc. during the past five years.)

   No.

5. Have you, or any partnership or closely held corporation in which you have an interest, ever received a direct or guaranteed loan from or cosigned a note to the Rural Business-Cooperative Service, Rural Housing Service, the Rural Utilities Service or their predecessor agencies, the Farmers Home Administration, the Rural Development Administration, the Rural Housing and Cooperative Development Service or the Rural Electrification Administration? (If yes, give details of any such loan activity during the past 5 years.)

   No.

6. Have you, or any partnership or closely held corporation in which you have an interest, ever received payments for crop losses from the Federal Crop Insurance program? (If yes, give details.)

No.

7. If confirmed, do you have any plans, commitments, or agreements to pursue outside employment or engage in any business or vocation, with or without compensation, during your service with the government? (If so, explain.)

No.

8. Do you have any plans to resume employment, affiliation, or practice with your previous employers, business firms, associations, or organizations after completing government service? (If yes, give details.)

No.

9. Has anyone made a commitment to employ you or retain your services in any capacity after you leave government service? (If yes, please specify.)

No.

10. Identify all investments, obligations, liabilities, or other relationships which involve potential conflicts of interest in the position to which you have been nominated.

None.

11. Have you ever received a government guaranteed student loan? If so, has it been repaid?

Yes. Yes.

12. If confirmed, explain how you will resolve any potential conflict of interest, including any that may be disclosed by your responses to the above items.

None exist.

United States
Office of Government Ethics
1201 New York Avenue, NW., Suite 500
Washington, DC 20005-3917

April 7, 2000

The Honorable Richard G. Lugar
Chairman
Committee on Agriculture, Nutrition
and Forestry
United States Senate
Washington, DC 20510-6000

Dear Mr. Chairman:

In accordance with the Ethics in Government Act of 1978, I enclose a copy of the financial disclosure report filed by Michael V. Dunn, who has been nominated by President Clinton for the position of Member, Farm Credit Administration.

We have reviewed the report and have also obtained advice from the Farm Credit Administration concerning any possible conflict in light of its functions and the nominee's proposed duties.

Based thereon, we believe that Mr. Dunn is in compliance with applicable laws and regulations governing conflicts of interest.

Sincerely,

Stephen D. Potts
Director

Enclosure

SF 278 (Rev. 5/89)
5 CFR Part 2634
U.S. Office of Government Ethics

Executive Branch Personnel PUBLIC FINANCIAL DISCLOSURE REPORT

Form Approved:
OMB No. 3209 - 0001

Date of Appointment, Candidacy, Election, or Nomination (Month, Day, Year): 1/17/00	Reporting Status (Check Appropriate Boxes): ☐ Incumbent; Calendar Year Covered by Report: ____; ☒ New Entrant, Nominee, or Candidate; ☐ Termination Filer; Termination Date (If Applicable) (Month, Day, Year):		Agency Use Only
Reporting Individual's Name	Last Name: DUNN	First Name and Middle Initial: Michael L. V.	OGE Use Only: APR 7 2000
Position for Which Filing	Title of Position: Board Member	Department or Agency (If Applicable): Farm Credit Administration	
Location of Present Office (or forwarding address)	Address (Number, Street, City, State, and ZIP Code): Room 3225W Whitten Bldg. Washington, DC 20250	Telephone No. (Include Area Code): 202-720-4256	
Position(s) Held with the Federal Government During the Preceding 12 Months (If Not Same as Above)	Title of Position(s) and Date(s) Held: (For Marketing & Regulatory Programs Under Secretary) USDA 10/27/88 to Present		
Presidential Nominees Subject to Senate Confirmation	Name of Congressional Committee Considering Nomination: Senate Agriculture	Do You Intend to Create a Qualified Diversified Trust? ☐ Yes ☒ No	
Certification: I CERTIFY that the statements I have made on this form and all attached schedules are true, complete and correct to the best of my knowledge.	Signature of Reporting Individual: Michael V. Dunn	Date (Month, Day, Year): 1/17/00	
Other Review (If required by agency)	Signature of Other Reviewer: Wendy E. Wagenka Alternate DAEO	Date (Month, Day, Year): 4-6-00	
Agency Ethics Official's Opinion: On the basis of information contained in this report, I conclude that the filer is in compliance with applicable laws and regulations (subject to any comments to the best below).	Signature of Designated Agency Ethics Official/Reviewing Official: Kathleen V. Buffon, DAEO	Date (Month, Day, Year): April 6, 2000	
Office of Government Ethics Use Only: D.B. 4/7/00	Signature: Stephen D. Potts	Date (Month, Day, Year): 4-7-2000	

Comments of Reviewing Officials (If additional space is required, use the reverse side of this sheet)

(Check box if comments are continued on the reverse side) ☐

Fee for Late Filing

Any individual who is required to file this report and does so more than 30 days after the date the report is required to be filed, or, if an extension is granted, more than 30 days after the last day of the filing extension period shall be subject to a $200 fee.

Reporting Periods

Incumbents: The reporting period is the preceding calendar year except Part II of Schedule C and Part I of Schedule D where you must also include the filing year up to the date you file. Part II of Schedule D is not applicable.

Termination Filers: The reporting period begins at the end of the period covered by your previous filing and ends at the date of termination. Part II of Schedule D is not applicable.

Nominees, New Entrants and Candidates for President and Vice President:

Schedule A--The reporting period for income (BLOCK C) is the preceding calendar year and the current calendar year up to the date of filing. Value assets as of any date you choose that is within 31 days of the date of filing.

Schedule B--Not applicable.

Schedule C, Part I (Liabilities)--The reporting period is the preceding calendar year and the current calendar year up to any date you choose that is within 31 days of the date of filing.

Schedule C, Part II (Agreements or Arrangements)--Show any agreements or arrangements as of the date of filing.

Schedule D--The reporting period is the preceding two calendar years and the current calendar year up to the date of filing.

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Reporting Individual's Name: Dunn, Michael V.

SCHEDULE A

Page Number: 2

Assets and Income — BLOCK A

Identify each asset held by you, your spouse, or dependent children for the production of income which had a fair market value exceeding $1,000 at the close of the reporting period.

Identify each asset or source of income held by you, your spouse, or dependent children which generated over $200 in income during the reporting period.

None ☐

Valuation of Assets at close of reporting period — BLOCK B

Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. — BLOCK C

	Assets and Income (Block A)	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000	Type: Dividends	Type: Rent and Royalties	Type: Interest	Type: Capital Gains	Type: Excepted Investment Fund	Type: Excepted Trust	Type: Qualified Trust	Type: Other (Specify Type)	Amount: None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000	Actual Amount (Only if "Other" specified)	Date (Mo., Day, Yr.) (Only if Honoraria)
Examples	Central Airlines Common				x					x										x								
	Doe Jones & Smith, Hometown, State			x													Law Partnership Income										$130,000	
	Kempstone Equity Fund					x								x							x							
	IRA: Heartland 500 Index Fund							x						x								x						
1	National Farmers Union Denver, CO Pension Fund (value not readily ascertainable)																Pension										$644	
2																												
3																												
4																												
5																												
6																												

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Reporting Individual's Name	SCHEDULE C	Page Number
Dunn, Michael V.		3

Part I: Liabilities

Report liabilities over $10,000 owed to any one creditor at any time during the reporting period by you, your spouse, or dependent children. Check the highest amount owed during the reporting period. **Exclude** a mortgage on your personal residence unless it is rented out; loans secured by automobiles, household furniture or appliances; and liabilities owed to certain relatives listed in instructions. See instructions for revolving charge accounts.

None [X]

	Creditors (Name and Address)	Type of Liability	Date Incurred	Interest Rate	Term if applicable	Category of Amount or Value (x): $10,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000
Examples:	First District Bank, Washington, DC	Mortgage on rental property, Delaware	1981	13%	25 yrs.			x				
	John Jones, 123 J St., Washington, DC	Promissory note	1989	10%	on demand					x		
1												
2												
3												
4												
5												

Part II: Agreements or Arrangements

Report your agreements or arrangements for: (1) continuing participation in an employee benefit plan (e.g. pension, 401K, deferred compensation); (2) continuation of payment by a former employer (including severance payments); (3) leaves of absence; and (4) future employment. See instructions regarding the reporting of negotiations for any of these arrangements or benefits.

None [ ]

	Status and Terms of any Agreement or Arrangement	Parties	Date
Example:	Pursuant to partnership agreement, will receive lump sum payment of capital account & partnership share calculated on service performed through 11/91.	Doe Jones & Smith, Hometown, State	7/85
1	Pension (Defined Benefit Plan) $160.95 per month	National Farmers Union, Denver, CO	7/88
2			
3			
4			
5			
6			

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Reporting Individual's Name	SCHEDULE D	Page Number
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Part I: Positions Held Outside U.S. Government

Report any positions held during the applicable reporting period, whether compensated or not. Positions include but are not limited to those of an officer, director, trustee, general partner, proprietor, representative, employee, or consultant of any corporation, firm, partnership, or other business enterprise or any non-profit organization or educational institution. **Exclude** positions with religious, social, fraternal, or political entities and those solely of an honorary nature.

None [X]

	Organization *(Name and Address)*	Type of Organization	Position Held	From (Mo., Yr.)	To (Mo., Yr.)
Examples:	Nat'l Assn. of Rock Collectors, NY, NY	Non-profit education	President	6/82	Present
	Doe Jones & Smith, Hometown, State	Law firm	Partner	7/65	11/91
1					
2					
3					
4					
5					
6					

Part II: Compensation In Excess Of $5,000 Paid by One Source

Report sources of more than $5,000 compensation received by you or your business affiliation for services provided directly by you during any one year of the reporting period. This includes the names of clients and customers of any corporation, firm, partnership, or other business enterprise, or any other non-profit organization when you directly provided the services generating a fee or payment of more than $5,000. You need not report the U.S. Government as a source.

Do not complete this part if you are an Incumbent, Termination Filer, or Vice Presidential or Presidential Candidate

None [X]

	Source *(Name and Address)*	Brief Description of Duties
Examples:	Doe Jones & Smith, Hometown, State	Legal services
	Metro University (client of Doe Jones & Smith), Moneytown, State	Legal services in connection with university construction
1		
2		
3		
4		
5		
6		

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