in. It provides the necessary framework for disaster programs and commodity programs that allow us to continue to provide the safest, cheapest, most wholesome food supply in abundance in the world with a very small percentage of our population; and it allows us to continue to be in the forefront of technology and research and development, continuing to be on the cutting edge of having greater production, greater yields on fewer acres in the most environmentally conscious manner possible, in addition to dealing with our nutrition issues, our women, infant and children issues and school lunch programs and the other important issues for our underserved in this country.

It is a great bill, Mr. Speaker. I encourage this entire House to support the rule and the underlying bill.

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

RESIGNATION AS MEMBER OF COMMITTEE ON THE JUDICIARY

The SPEAKER pro tempore (Mr. PUTNAM) laid before the House the following resignation as a member of the Committee on the Judiciary:

HOUSE OF REPRESENTATIVES,
Washington, DC, June 8, 2005.

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives,
Washington, DC.

I am respectfully requesting that you accept my resignation from the House Judiciary Committee, effective immediately.

Thank you for the opportunity to be a member of the committee.

Sincerely,

ADAM SMITH,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

ELECTION OF MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE

Ms. DELAURO. Mr. Speaker, by direction of the Democratic Caucus, I offer a privileged resolution (H. Res. 307) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 307

Resolved, That the following named Members be and are hereby elected to the following standing committees of the House of Representatives:

(1) COMMITTEE ON THE JUDICIARY.—Ms. Wasserman Schultz.

(2) COMMITTEE ON SCIENCE.—Mr. Moore of Kansas.

The resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. BONILLA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 2744 and that I may include tabular material on the same.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2006

The SPEAKER pro tempore. Pursuant to House Resolution 303 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2744.

The Chair designates the gentleman from Wisconsin (Mr. RYAN) as chairman of the Committee of the Whole, and requests the gentleman from California (Mr. ISSA) to assume the chair temporarily.

□ 1224

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2744) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes, with Mr. ISSA (Acting Chairman) in the chair.

The Clerk read the title of the bill.

The Acting CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Texas (Mr. BONILLA) and the gentlewoman from Connecticut (Ms. DELAURO) each will control 30 minutes.

The Chair recognizes the gentleman from Texas (Mr. BONILLA).

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

Mr. Chairman, I am pleased to bring before the House today the fiscal year 2006 appropriations bill for agriculture, rural development, the FDA and related agencies. As many people know, this bill does not just fund agriculture issues that are so important for the Nation and the world but also funds the Food and Drug Administration, the Women, Infants and Children program, and the food stamp program. There are a wide variety of issues that are very significant to this Nation and the world.

This is a bipartisan bill, Mr. Chairman. I am very proud this year to have worked for the first time with the gentlewoman from Connecticut (Ms. DELAURO), who was a great partner in putting this bill together, as are all the members of the subcommittee. This is a great subcommittee that comes to the table every day with sometimes differences of opinion, but at the end of the day want to get a bill done. As chairman of this subcommittee, it has been a very fulfilling experience to have gone through this process with this great group.

We have difficult challenges every year when we put this subcommittee mark together and when we put the bill together. We had over 2,100 individual requests from Members; so with the good staff that we have that I will get into a little more later, we have had to go through with a fine-tooth comb every request to make sure that it does not overlap with another request and then to prioritize all of these very important issues that come from Members all over the country.

I would also like to thank the staff for working on this. I want to take a moment to mention some very important names who have worked on this bill, sometimes day and night and on weekends as well: Martha Foley of the minority staff; and Maureen Holohan, Leslie Barrack, and Jamie Swafford of the majority staff. In addition, I want to thank our detailee Tom O'Brien and Walt Smith from my personal staff; and, of course, my distinguished clerk, Martin Delgado, who does a fabulous job on this bill. I also want to take a brief moment to recognize Joanne Perdue who worked on the committee for several years and retired from the committee just this past month.

Mr. Chairman, I would also like to point out just in very broad terms that this bill takes care of a lot of issues that are critical not just to agriculture producers but to consumers in terms of food safety, research projects that are going on in every State in this Nation. A lot of people go to the grocery store, Mr. Chairman, and they see that big truck pulling up in the back of the store and unloading goods that are put on shelves and in the freezers at the local grocery store and their products that are sold at a high quality for a good price. Quite frankly, most Americans do not know all of the policy and all of the research and all of the hard work that goes into putting that product on the shelf so that Americans can go into the store, use those coupons and enjoy themselves and the quality of life that it brings to Americans all across the country. Again, there is a lot of detail that goes into putting this bill together.

I am also very proud to work hand in hand with the gentleman from Virginia (Mr. GOODLATTE), our authorizing chairman, who has been a partner in this process not just this year but every year. So all of these policies and all of these programs that I am talking about here have been a team effort.

Mr. Chairman, I include at this point in the RECORD the following tabular material related to the bill:

AGRICULTURE-RURAL DEVELOPMENT-FOOD AND DRUG ADMINISTRATION AND RELATED AGENCIES APPROPRIATIONS (H.R. 2744)
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I - AGRICULTURAL PROGRAMS					
Production, Processing, and Marketing					
Office of the Secretary	5,083	5,127	5,127	+44	---
Executive Operations:					
Chief Economist	10,234	10,539	10,539	+305	---
National Appeals Division	14,216	14,524	14,524	+308	---
Office of Budget and Program Analysis	8,162	8,298	8,298	+136	---
Homeland Security staff	769	1,466	934	+165	-532
Office of the Chief Information Officer	16,462	16,726	16,462	---	-264
Common computing environment	124,580	142,465	124,580	---	-17,885
Office of the Chief Financial Officer	5,696	5,874	5,874	+178	---
Working capital fund	12,747	---	---	-12,747	---
Total, Executive Operations	192,866	199,892	181,211	-11,655	-18,681
Office of the Assistant Secretary for Civil Rights	811	821	811	---	-10
Office of Civil Rights	19,730	20,109	20,109	+379	---
Office of the Assistant Secretary for Administration	664	676	676	+12	---
Agriculture buildings and facilities and rental payments	(162,559)	(221,924)	(183,133)	(+20,574)	(-38,791)
Payments to GSA	127,292	147,734	147,734	+20,442	---
Building operations and maintenance	35,267	74,190	35,399	+132	-38,791
Hazardous materials management	15,408	15,644	15,644	+236	---
Departmental administration	22,445	23,103	23,103	+658	---
Office of the Assistant Secretary for Congressional Relations	3,821	3,846	3,821	---	-25
Office of Communications	9,290	9,509	9,509	+219	---
Office of the Inspector General	77,663	81,045	79,626	+1,963	-1,419
Office of the General Counsel	35,574	40,263	38,439	+2,865	-1,824
Office of the Under Secretary for Research, Education, and Economics	587	598	598	+11	---
Economic Research Service	74,170	80,749	75,931	+1,761	-4,818
National Agricultural Statistics Service	128,444	145,159	136,241	+7,797	-8,918
Census of Agriculture	(22,226)	(29,115)	(29,115)	(+6,889)	---
Agricultural Research Service:					
Salaries and expenses	1,102,000	996,107	1,035,475	-66,525	+39,368
Buildings and facilities	186,335	64,800	87,300	-99,035	+22,500
Total, Agricultural Research Service	1,288,335	1,060,907	1,122,775	-165,560	+61,868
Cooperative State Research, Education, and Extension Service:					
Research and education activities	655,495	545,500	661,691	+6,196	+116,191
Native American Institutions Endowment Fund	(12,000)	(12,000)	(12,000)	---	---
Extension activities	445,631	431,743	444,871	-760	+13,128
Integrated activities	54,712	35,013	15,513	-39,199	-19,500
Outreach for socially disadvantaged farmers	5,888	5,935	5,935	+47	---
Total, Cooperative State Research, Education, and Extension Service	1,161,726	1,018,191	1,128,010	-33,716	+109,819
Office of the Under Secretary for Marketing and Regulatory Programs	715	724	724	+9	---
Animal and Plant Health Inspection Service:					
Salaries and expenses	808,106	855,162	823,635	+15,529	-31,527
Animal welfare (user fees) (leg. proposal) NA	---	(10,858)	---	---	(-10,858)
Buildings and facilities	4,927	4,996	4,996	+69	---
Total, Animal and Plant Health Inspection Service	813,033	860,158	828,631	+15,598	-31,527

AGRICULTURE-RURAL DEVELOPMENT-FOOD AND DRUG ADMINISTRATION AND RELATED AGENCIES APPROPRIATIONS (H.R. 2744)
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
Agricultural Marketing Service:					
Marketing Services	75,092	84,114	78,032	+2,940	-6,082
Agriculture marketing service standardization (user fees) (leg. proposal) NA	---	(2,918)	---	---	(-2,918)
Standardization user fees	(5,000)	---	---	(-5,000)	---
(Limitation on administrative expenses, from fees collected)	(64,459)	(65,667)	(65,667)	(+1,208)	---
Funds for strengthening markets, income, and supply (transfer from section 32)	15,800	16,055	16,055	+255	---
Payments to states and possessions	3,816	1,347	1,347	-2,469	---
Total, Agricultural Marketing Service	94,708	101,516	95,434	+726	-6,082
Grain Inspection, Packers and Stockyards Administration:					
Salaries and expenses	37,001	15,717	38,400	+1,399	+22,683
Grain inspection, packers and stockyards administration (user fees) (leg. proposal)NA	---	(24,701)	---	---	(-24,701)
Limitation on inspection and weighing services	(42,463)	(42,463)	(42,463)	---	---
Office of the Under Secretary for Food Safety	590	602	590	---	-12
Food Safety and Inspection Service	817,170	710,717	837,264	+20,094	+126,547
Food safety inspection (user fees) (leg. prop) NA.	---	(139,000)	---	---	(-139,000)
Lab accreditation fees	(1,000)	(1,000)	(1,000)	---	---
Total, Production, Processing, and Marketing	4,962,393	4,616,997	4,825,807	-136,586	+208,810
Farm Assistance Programs					
Office of the Under Secretary for Farm and Foreign Agricultural Services	626	635	635	+9	---
Farm Service Agency:					
Salaries and expenses	999,536	1,050,875	1,023,738	+24,202	-27,137
(Transfer from export loans)	(994)	(1,839)	(1,839)	(+845)	---
(Transfer from P.L. 480)	(2,914)	(3,217)	(3,217)	(+303)	---
(Transfer from ACIF)	(291,414)	(309,137)	(297,127)	(+5,713)	(-12,010)
Subtotal, transfers from program accounts	(295,322)	(314,193)	(302,183)	(+6,861)	(-12,010)
Total, Salaries and expenses	(1,294,858)	(1,365,068)	(1,325,921)	(+31,063)	(-39,147)
State mediation grants	3,968	4,500	4,250	+282	-250
Dairy indemnity program	100	100	100	---	---
Subtotal, Farm Service Agency	1,003,604	1,055,475	1,028,088	+24,484	-27,387
Agricultural Credit Insurance Fund Program Account:					
Loan authorizations:					
Farm ownership loans:					
Direct	(208,320)	(200,000)	(200,000)	(-8,320)	---
Guaranteed	(1,388,800)	(1,400,000)	(1,400,000)	(+11,200)	---
Subtotal	(1,597,120)	(1,600,000)	(1,600,000)	(+2,880)	---
Farm operating loans:					
Direct	(644,800)	(650,000)	(650,000)	(+5,200)	---
Unsubsidized guaranteed	(1,091,200)	(1,200,000)	(1,200,000)	(+108,800)	---
Subsidized guaranteed	(282,720)	(266,253)	(266,256)	(-16,464)	(+3)
Subtotal	(2,018,720)	(2,116,253)	(2,116,256)	(+97,536)	(+3)

AGRICULTURE-RURAL DEVELOPMENT-FOOD AND DRUG ADMINISTRATION AND RELATED AGENCIES APPROPRIATIONS (H.R. 2744)
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
Indian tribe land acquisition loans	(2,000)	(2,000)	(2,020)	(+20)	(+20)
Natural disasters emergency insured loans	---	(25,000)	---	---	(-25,000)
Boll weevil eradication loans	(100,000)	(60,000)	(100,000)	---	(+40,000)
Total, Loan authorizations	(3,717,840)	(3,803,253)	(3,818,276)	(+100,436)	(+15,023)
Loan subsidies:					
Farm ownership loans:					
Direct	11,145	10,240	10,240	-905	---
Guaranteed	7,361	6,720	6,720	-641	---
Subtotal	18,506	16,960	16,960	-1,546	---
Farm operating loans:					
Direct	65,060	64,675	64,675	-385	---
Unsubsidized guaranteed	35,246	36,360	36,360	+1,114	---
Subsidized guaranteed	37,631	33,282	33,282	-4,349	---
Subtotal	137,937	134,317	134,317	-3,620	---
Indian tribe land acquisition	105	80	81	-24	+1
Natural disasters emergency insured loans	---	2,735	---	---	-2,735
Total, Loan subsidies	156,548	154,092	151,358	-5,190	-2,734
ACIF expenses:					
Salaries and expense (transfer to FSA)	291,414	309,137	297,127	+5,713	-12,010
Administrative expenses	7,936	8,000	8,000	+64	---
Total, ACIF expenses	299,350	317,137	305,127	+5,777	-12,010
Total, Agricultural Credit Insurance Fund	455,898	471,229	456,485	+587	-14,744
(Loan authorization)	(3,717,840)	(3,803,253)	(3,818,276)	(+100,436)	(+15,023)
Total, Farm Service Agency	1,459,502	1,526,704	1,484,573	+25,071	-42,131
Risk Management Agency	71,468	87,806	77,806	+6,338	-10,000
Total, Farm Assistance Programs	1,531,596	1,615,145	1,563,014	+31,418	-52,131
Corporations					
Federal Crop Insurance Corporation:					
Federal crop insurance corporation fund	4,095,128	3,159,379	3,159,379	-935,749	---
Commodity Credit Corporation Fund:					
Reimbursement for net realized losses	16,452,377	25,690,000	25,690,000	+9,237,623	---
Hazardous waste management (limitation on expenses)	(5,000)	(5,000)	(5,000)	---	---
Total, Corporations	20,547,505	28,849,379	28,849,379	+8,301,874	---
Total, title I, Agricultural Programs	27,041,494	35,081,521	35,238,200	+8,196,706	+156,679
(By transfer)	(295,322)	(314,193)	(302,183)	(+6,861)	(-12,010)
(Loan authorization)	(3,717,840)	(3,803,253)	(3,818,276)	(+100,436)	(+15,023)
(Limitation on administrative expenses)	(111,922)	(113,130)	(113,130)	(+1,208)	---

AGRICULTURE-RURAL DEVELOPMENT-FOOD AND DRUG ADMINISTRATION AND RELATED AGENCIES APPROPRIATIONS (H.R. 2744)
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE II - CONSERVATION PROGRAMS					
Office of the Under Secretary for Natural Resources and Environment	735	744	744	+9	---
Natural Resources Conservation Service:					
Conservation operations	830,661	767,783	793,640	-37,021	+25,857
Watershed surveys and planning	7,026	5,141	7,026	---	+1,885
Watershed and flood prevention operations	74,971	---	60,000	-14,971	+60,000
Watershed rehabilitation program	27,280	15,125	27,000	-280	+11,875
Resource conservation and development	51,228	25,600	51,360	+132	+25,760
Total, Natural Resources Conservation Service	991,166	813,649	939,026	-52,140	+125,377
Total, title II, Conservation Programs	991,901	814,393	939,770	-52,131	+125,377
TITLE III - RURAL DEVELOPMENT PROGRAMS					
Office of the Under Secretary for Rural Development	627	635	627	---	-8
Rural Development:					
Rural community advancement program	710,321	521,689	657,389	-52,932	+135,700
(Transfer out)	(-27,776)	---	---	(+27,776)	---
Total, Rural community advancement program	710,321	521,689	657,389	-52,932	+135,700
RD expenses:					
Salaries and expenses	147,264	167,849	152,623	+5,359	-15,226
(Transfer from RHIF)	(444,755)	(465,886)	(455,242)	(+10,487)	(-10,644)
(Transfer from RDLFP)	(4,281)	(6,656)	(4,719)	(+438)	(-1,937)
(Transfer from RETLP)	(37,971)	(39,933)	(38,907)	(+936)	(-1,026)
(Transfer from RTB)	(3,127)	(2,500)	(2,500)	(-627)	---
Subtotal, Transfers from program accounts	(490,134)	(514,975)	(501,368)	(+11,234)	(-13,607)
Total, RD expenses	(637,398)	(682,824)	(653,991)	(+16,593)	(-28,833)
Total, Rural Development	857,585	689,538	810,012	-47,573	+120,474
Rural Housing Service:					
Rural Housing Insurance Fund Program Account:					
Loan authorizations:					
Single family direct (sec. 502)	(1,140,800)	(1,000,000)	(1,140,799)	(-1)	(+140,799)
Unsubsidized guaranteed	(3,282,823)	(3,681,033)	(3,681,033)	(+398,210)	---
Subtotal, Single family	(4,423,623)	(4,681,033)	(4,821,832)	(+398,209)	(+140,799)
Housing repair (sec. 504)	(34,720)	(35,969)	(35,969)	(+1,249)	---
Rental housing (sec. 515)	(99,200)	(27,027)	(100,000)	(+800)	(+72,973)
Site loans (sec. 524)	(5,045)	(5,000)	(5,000)	(-45)	---
Multi-family housing guarantees (sec. 538)	(99,200)	(200,000)	(100,000)	(+800)	(-100,000)
Multi-family housing credit sales	(1,489)	(1,500)	(1,500)	(+11)	---
Single family housing credit sales	(10,000)	(10,000)	(10,000)	---	---
Self-help housing land develop. (sec. 523)	(10,000)	(5,048)	(5,048)	(-4,952)	---
Total, Loan authorizations	(4,683,277)	(4,965,577)	(5,079,349)	(+396,072)	(+113,772)
Loan subsidies:					
Single family direct (sec. 502)	132,105	113,900	129,937	-2,168	+16,037
Unsubsidized guaranteed	33,339	40,900	40,900	+7,561	---
Subtotal, Single family	165,444	154,800	170,837	+5,393	+16,037
Housing repair (sec. 504)	10,090	10,521	10,521	+431	---
Rental housing (sec. 515)	46,713	12,400	45,880	-833	+33,480

AGRICULTURE-RURAL DEVELOPMENT-FOOD AND DRUG ADMINISTRATION AND RELATED AGENCIES APPROPRIATIONS (H.R. 2744)
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
Multi-family housing guarantees (sec. 538)	3,462	10,840	5,420	+1,958	-5,420
Multi-family housing credit sales	721	681	681	-40	---
Self-help housing land develop. (sec. 523)	---	52	52	+52	---
Total, Loan subsidies	226,430	189,294	233,391	+6,961	+44,097
RHIF administrative expenses (transfer to RD)	444,755	465,886	455,242	+10,487	-10,644
Rental assistance program:					
(Sec. 521)	581,411	644,126	644,126	+62,715	---
(Sec. 502(c)(5)(D))	5,853	5,900	5,900	+47	---
Total, Rental assistance program	587,264	650,026	650,026	+62,762	---
Total, Rural Housing Insurance Fund	1,258,449	1,305,206	1,338,659	+80,210	+33,453
(Loan authorization)	(4,683,277)	(4,965,577)	(5,079,349)	(+396,072)	(+113,772)
Rural housing voucher program	---	214,000	---	---	-214,000
Mutual and self-help housing grants	33,728	34,000	34,000	+272	---
Rural housing assistance grants	43,640	41,000	41,000	-2,640	---
Farm labor program account	33,845	32,728	32,728	-1,117	---
Subtotal, grants and payments	111,213	107,728	107,728	-3,485	---
Total, Rural Housing Service	1,369,662	1,626,934	1,446,387	+76,725	-180,547
(Loan authorization)	(4,683,277)	(4,965,577)	(5,079,349)	(+396,072)	(+113,772)
Rural Business-Cooperative Service:					
Rural Development Loan Fund Program Account:					
(Loan authorization)	(33,939)	(34,212)	(34,212)	(+273)	---
Loan subsidy	15,741	14,718	14,718	-1,023	---
Administrative expenses (transfer to RD)	4,281	6,656	4,719	+438	-1,937
Total, Rural Development Loan Fund	20,022	21,374	19,437	-585	-1,937
Rural Economic Development Loans Program Account:					
(Loan authorization)	(24,803)	(25,003)	(25,003)	(+200)	---
Direct subsidy	4,660	4,993	4,993	+333	---
Rural cooperative development grants	23,808	21,000	24,000	+192	+3,000
Rural empowerment zones and enterprise communities grants	12,400	---	10,000	-2,400	+10,000
Renewable energy program	22,816	10,000	23,000	+184	+13,000
Total, Rural Business-Cooperative Service	83,706	57,367	81,430	-2,276	+24,063
(Loan authorization)	(58,742)	(59,215)	(59,215)	(+473)	---
Rural Utilities Service:					
Rural Electrification and Telecommunications Loans Program Account:					
Loan authorizations:					
Electric:					
Direct, 5%	(119,040)	(100,000)	(100,000)	(-19,040)	---
Direct, Municipal rate	(99,200)	(100,000)	(100,000)	(+800)	---
Direct, FFB	(2,000,000)	(1,620,000)	(2,000,000)	---	(+380,000)
Direct, Treasury rate	(1,000,000)	(700,000)	(1,000,000)	---	(+300,000)
Guaranteed electric	(99,200)	---	(100,000)	(+800)	(+100,000)
Guaranteed underwriting	(1,000,000)	---	(1,000,000)	---	(+1,000,000)
Subtotal, Electric	(4,317,440)	(2,520,000)	(4,300,000)	(-17,440)	(+1,780,000)
Telecommunications:					
Direct, 5%	(145,000)	(145,000)	(145,000)	---	---
Direct, Treasury rate	(248,000)	(425,000)	(424,000)	(+176,000)	(-1,000)

AGRICULTURE-RURAL DEVELOPMENT-FOOD AND DRUG ADMINISTRATION AND RELATED AGENCIES APPROPRIATIONS (H.R. 2744)
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
Direct, FFB	(125,000)	(100,000)	(125,000)	---	(+25,000)
Subtotal, Telecommunications	(518,000)	(670,000)	(694,000)	(+176,000)	(+24,000)
Total, Loan authorizations	(4,835,440)	(3,190,000)	(4,994,000)	(+158,560)	(+1,804,000)
Loan subsidies:					
Electric:					
Direct, 5%	3,619	920	920	-2,699	---
Direct, Municipal rate	1,339	5,050	5,050	+3,711	---
Guaranteed electric	60	---	90	+30	+90
Direct, Treasury rate	---	70	100	+100	+30
Subtotal, Electric	5,018	6,040	6,160	+1,142	+120
Telecommunications:					
Direct, Treasury rate	99	212	212	+113	---
Subtotal, Telecommunications	99	212	212	+113	---
Total, Loan subsidies	5,117	6,252	6,372	+1,255	+120
RETLP administrative expenses (transfer to RD)	37,971	39,933	38,907	+936	-1,026
Total, Rural Electrification and Telecommunications Loans Program Account	43,088	46,185	45,279	+2,191	-906
(Loan authorization)	(4,835,440)	(3,190,000)	(4,994,000)	(+158,560)	(+1,804,000)
Rural Telephone Bank Program Account:					
(Loan authorization)	(175,000)	---	---	(-175,000)	---
RTB administrative expenses (transfer to RD)	3,127	2,500	2,500	-627	---
Total, Rural Telephone Bank Program Account	3,127	2,500	2,500	-627	---
High energy costs grants (by transfer)	(27,776)	---	---	(-27,776)	---
Distance learning, telemedicine, and broadband program:					
Loan authorizations:					
Distance learning and telemedicine	(50,000)	---	(50,000)	---	(+50,000)
Broadband telecommunications	(545,600)	(358,875)	(463,860)	(-81,740)	(+104,985)
Total, Loan authorizations	(595,600)	(358,875)	(513,860)	(-81,740)	(+154,985)
Loan subsidies:					
Distance learning and telemedicine:					
Direct	704	---	750	+46	+750
Grants	34,720	25,000	25,000	-9,720	---
Broadband telecommunications:					
Direct	11,621	9,973	9,973	-1,648	---
Grants	8,928	---	9,000	+72	+9,000
Total, Loan subsidies and grants	55,973	34,973	44,723	-11,250	+9,750
Total, Rural Utilities Service	102,188	83,658	92,502	-9,686	+8,844
(Loan authorization)	(5,606,040)	(3,548,875)	(5,507,860)	(-98,180)	(+1,958,985)
Total, title III, Rural Economic and Community Development Programs	2,413,768	2,458,132	2,430,958	+17,190	-27,174
(By transfer)	(517,910)	(514,975)	(501,368)	(-16,542)	(-13,607)
(Loan authorization)	(10,348,059)	(8,573,667)	(10,646,424)	(+298,365)	(+2,072,757)

AGRICULTURE-RURAL DEVELOPMENT-FOOD AND DRUG ADMINISTRATION AND RELATED AGENCIES APPROPRIATIONS (H.R. 2744)
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE IV - DOMESTIC FOOD PROGRAMS					
Office of the Under Secretary for Food, Nutrition and Consumer Services	590	599	599	+9	---
Food and Nutrition Service:					
Child nutrition programs	6,629,038	7,304,207	7,224,406	+595,368	-79,801
Transfer from section 32	5,152,962	5,111,820	5,187,621	+34,659	+75,801
Total, Child nutrition programs	11,782,000	12,416,027	12,412,027	+630,027	-4,000
Special supplemental nutrition program for women, infants, and children (WIC)	5,235,032	5,510,000	5,257,000	+21,968	-253,000
Food stamp program:					
Expenses	30,499,527	36,034,599	36,034,599	+5,535,072	---
Armed forces provision	---	1,000	1,000	+1,000	---
Reserve	3,000,000	3,000,000	3,000,000	---	---
Nutrition assistance for Puerto Rico and Samoa	1,515,027	1,535,796	1,535,796	+20,769	---
The emergency food assistance program	140,000	140,000	140,000	---	---
Total, Food stamp program	35,154,554	40,711,395	40,711,395	+5,556,841	---
Commodity assistance program	177,367	177,935	178,797	+1,430	+862
Nutrition programs administration	138,818	140,761	140,761	+1,943	---
Total, Food and Nutrition Service	52,487,771	58,956,118	58,699,980	+6,212,209	-256,138
Total, title IV, Domestic Food Programs	52,488,361	58,956,717	58,700,579	+6,212,218	-256,138
TITLE V - FOREIGN ASSISTANCE AND RELATED PROGRAMS					
Foreign Agricultural Service:					
Salaries and expenses, direct appropriation	136,719	148,792	148,224	+11,505	-568
(Transfer from export loans)	(3,394)	(3,440)	(3,440)	(+46)	---
(Transfer from P.L. 480)	(1,088)	(168)	(168)	(-920)	---
Total, Salaries and expenses program level	(141,201)	(152,400)	(151,832)	(+10,631)	(-568)
Public Law 480 Program and Grant Accounts:					
Program account:					
Loan authorization, direct	(109,000)	(74,032)	(74,032)	(-34,968)	---
Loan subsidies	93,444	65,040	65,040	-28,404	---
Ocean freight differential grants	22,541	11,940	11,940	-10,601	---
Title II - Commodities for disposition abroad:					
Program level	(1,173,041)	(885,000)	(1,107,094)	(-65,947)	(+222,094)
Appropriation	1,173,041	885,000	1,107,094	-65,947	+222,094
Salaries and expenses:					
Foreign Agricultural Service (transfer to FAS)	1,088	168	168	-920	---
Farm Service Agency (transfer to FSA)	2,914	3,217	3,217	+303	---
Subtotal	4,002	3,385	3,385	-617	---
Total, Public Law 480:					
Program level	(1,173,041)	(885,000)	(1,107,094)	(-65,947)	(+222,094)
Appropriation	1,293,028	965,365	1,187,459	-105,569	+222,094
CCC Export Loans Program Account (administrative expenses):					
Salaries and expenses (Export Loans):					
General Sales Manager (transfer to FAS)	3,394	3,440	3,440	+46	---
Farm Service Agency (transfer to FSA)	994	1,839	1,839	+845	---
Total, CCC Export Loans Program Account	4,388	5,279	5,279	+891	---

AGRICULTURE-RURAL DEVELOPMENT-FOOD AND DRUG ADMINISTRATION AND RELATED AGENCIES APPROPRIATIONS (H.R. 2744)
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
McGovern-Dole international food for education and child nutrition program grants	86,800	100,000	100,000	+13,200	---
Total, title V, Foreign Assistance and Related Programs	1,520,935	1,219,436	1,440,962	-79,973	+221,526
(By transfer)	(4,482)	(3,608)	(3,608)	(-874)	---
TITLE VI - RELATED AGENCIES AND FOOD AND DRUG ADMINISTRATION					
DEPARTMENT OF HEALTH AND HUMAN SERVICES					
Food and Drug Administration					
Salaries and expenses, direct appropriation	1,450,098	1,492,726	1,480,978	+30,880	-11,748
Prescription drug user fee act	(284,394)	(305,332)	(305,332)	(+20,938)	---
Medical device user fee act	(33,938)	(40,300)	(40,300)	(+6,362)	---
Animal drug user fee act	(8,354)	(11,318)	(11,318)	(+2,964)	---
Subtotal	(1,776,784)	(1,849,676)	(1,837,928)	(+61,144)	(-11,748)
Mammography clinics user fee (outlay savings)	(16,919)	(17,173)	(17,173)	(+254)	---
Export and color certification	(6,838)	(7,640)	(7,640)	(+802)	---
Payments to GSA	(129,815)	(134,853)	(134,853)	(+5,038)	---
Buildings and facilities	---	7,000	5,000	+5,000	-2,000
Total, Food and Drug Administration	1,450,098	1,499,726	1,485,978	+35,880	-13,748
INDEPENDENT AGENCIES					
Commodity Futures Trading Commission	93,572	99,386	98,386	+4,814	-1,000
Farm Credit Administration (limitation on administrative expenses)	(42,350)	---	(44,250)	(+1,900)	(+44,250)
Total, title VI, Related Agencies and Food and Drug Administration	1,543,670	1,599,112	1,584,364	+40,694	-14,748
TITLE VII - GENERAL PROVISIONS					
Hunger fellowships (sec. 722)	2,480	---	2,500	+20	+2,500
National Sheep Industry Improvement Center revolving fund (sec. 724)	992	---	500	-492	+500
Citrus canker compensation (sec. 761)	29,760	---	10,000	-19,760	+10,000
Northern Great Plains Regional Authority	1,479	---	---	-1,479	---
Rural housing assistance grants (rescission)	-1,000	---	---	+1,000	---
Rural housing insurance fund (rescission)	-3,000	---	---	+3,000	---
Denali Commission	1,488	---	---	-1,488	---
Local TV loan guarantee (rescission)	-88,000	---	---	+88,000	---
Agricultural conservation prog. (rescission)	-3,500	---	---	+3,500	---
Section 32 (rescission)	-163,000	---	---	+163,000	---
P.L. 480 Title I (rescission)	-191,108	---	---	+191,108	---
Milk processing and packaging facilities	992	---	---	-992	---
Alaska private lands wildlife management	496	---	---	-496	---
Livestock Expo Center (sec. 754)	992	---	1,000	+8	+1,000
Virginia Horse Center	992	---	---	-992	---
Great Plains conservation program, unobligated balances (rescissions)	-8,000	---	---	+8,000	---

AGRICULTURE-RURAL DEVELOPMENT-FOOD AND DRUG ADMINISTRATION AND RELATED AGENCIES APPROPRIATIONS (H.R. 2744)
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
Wisconsin Federation of Cooperatives	2,232	---	---	-2,232	---
Florida citrus promotion	5,952	---	---	-5,952	---
Data mining and data warehousing activities	---	3,600	---	---	-3,600
WIC contingency reserve (rescission) (sec. 763)	---	---	-32,000	-32,000	-32,000
Specialty crop grants (sec. 767)	---	---	7,000	+7,000	+7,000
Total, title VII, General provisions	-409,753	3,600	-11,000	+398,753	-14,600
OTHER APPROPRIATIONS					
Hurricane Disaster Assistance Act, 2005 (P.L.108-324)					
Farm Assistance Programs: Farm Service Agency:					
Emergency conservation program (emergency)	100,000	---	---	-100,000	---
Conservation Programs: Natural Resources Conservation Service: Emerg watershed protection program (emerg)	250,000	---	---	-250,000	---
Rural Development Programs:					
Rural community advancement proram (emergency)	68,000	---	---	-68,000	---
Rural Housing Insurance Fund Program Account:					
Housing repairs (sec. 504):					
Loan authorization (emergency)	(17,000)	---	---	(-17,000)	---
Loan subsidies (emergency)	5,000	---	---	-5,000	---
Rural housing assistance grants (emergency)	13,000	---	---	-13,000	---
Emergency watershed protection program/emergency conservation program (emergency)	50,000	---	---	-50,000	---
Section 32 transfer (emergency)	90,000	---	---	-90,000	---
Producer assistance (emergency)	2,928,500	---	---	-2,928,500	---
Total, Public Law 108-324 (emergency)	3,504,500	---	---	-3,504,500	---
Emerg. Supplemental Approps. for Defense, The Global War on Terror, and Tsunami Relief, 2005 (P.L.109-13)					
Foreign Agricultural Service:					
Public Law 480 Title II Grants (emergency)	240,000	---	---	-240,000	---
Natural Resources Conservation Service:					
Emergency watershed protection program (emergency)	104,500	---	---	-104,500	---
Total, Public Law 109-13 (emergency)	344,500	---	---	-344,500	---
Total, Other appropriations (emergency)	3,849,000	---	---	-3,849,000	---
Grand total:					
New budget (obligational) authority	89,439,376	100,132,911	100,323,833	+10,884,457	+190,922
Appropriations	(86,047,984)	(100,132,911)	(100,355,833)	(+14,307,849)	(+222,922)
Emergency Appropriations	3,849,000	---	---	-3,849,000	---
Contingent emergency Appropriations	---	---	---	---	---
(By transfer)	(817,714)	(832,776)	(807,159)	(-10,555)	(-25,617)
(Loan authorization)	(14,191,899)	(12,450,952)	(14,538,732)	(+346,833)	(+2,087,780)
(Limitation on administrative expenses)	(154,272)	(113,130)	(157,380)	(+3,108)	(+44,250)

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

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

I thank the gentleman for his statement. I am pleased to join him for the first time in my capacity as ranking member of the agriculture appropriations subcommittee. It has been a pleasure working with the gentleman from Texas and his staff to put together the 2006 agriculture appropriations bill and with the gentleman from California (Mr. LEWIS) and the gentleman from Wisconsin (Mr. OBEY) as we worked in full committee to get here today.

I, too, would like to say thank you to the staff of the subcommittee: to Martha Foley; to my own personal staff, to Karen Wilcox, Ashley Turton and Becky Salay; the majority office, Martin Delgado, Maureen Holohan, Leslie Barrack, Tom O'Brien, Jami Burgess. I really again say thank you for your expertise and for your patience. Let me also compliment the chairman on doing the very best with limited resources in this bill. Unfortunately, we know that the budget situation means that the funding allocation for this subcommittee was simply not sufficient to meet all the needs of rural America and our Nation's farmers.

When I chose to sit on this subcommittee 9 years ago, I did so because I believed that the issues overseen by this subcommittee are core responsibilities of the Federal Government. This is the only subcommittee where farm policy, rural development and conservation, nutrition programs, food safety, drug regulations, and public health all come together. Although some might be surprised to learn, I have nearly 400 farms in my district ranging from dairy farms to horticulture and aquaculture, to orchards and vegetable cultivation. In fact, the first experiment station in the United States still does cutting-edge research in New Haven.

Another area that I have spent time on is determining how we can best secure our food supply, something in which every American has a stake. My duties as cochair and founder of the bipartisan Food Safety Caucus have informed my understanding of the importance of the responsibilities of USDA and FDA alike, giving me the opportunity to visit slaughter plants and feed lots as well as fruit and vegetable farms across the country.

□ 1230

I see food safety as a public health issue. I look forward to finding ways that can mutually benefit the health of our people, our farms, and our food supply. In addition, urban areas like New Haven rely on feeding programs for women, infants and children, for schools, for seniors, and for some of the disabled living on the edge of poverty.

Yesterday was National Hunger Awareness Day, and our subcommittee is certainly aware that the President's budget predicted an increase in the use of food stamps in 2006. Unfortunately, this bill does not provide enough funding to maintain current participation in the Commodity Supplemental Food Program. At least 45,000 participants, the overwhelming majority of older Americans, will have to be dropped from this program unless there are more funds provided.

Ensuring that these programs are funded is, in my opinion, among the very serious moral obligations of government. It is my belief that the bill before us today is more than a list of programs and funding levels. It is statement of values, of principles and priorities, a moral document so that when we discuss the bill and how it allocates $16.8 billion for USDA, I believe we must think of it in those terms.

We should remember that the farm programs and the international trade promotion and advocacy that help our farmers across the country and sell our products have profound implications on our Nation's overall economy and our quality of life, that research programs at USDA are critical to our efforts to protect our agricultural plant and animal products, our environment, and our public health.

Unfortunately, in some of these area this bill falls short. I believe that the President's budget failed to meet the needs of rural America, decimating rural development programs. This bill makes headway in reversing cuts made by the President. However, I am concerned that funding for water and waste grants, for example, remains below the level of last year's House bill and well below the 2004 bill.

Rural America faces serious economic development challenges: affordable housing, clean drinking water, sewerage systems, access to remote educational and medical resources. I am afraid that this funding shortfall will lead to long-term deficiencies in rural infrastructure.

Of course, this bill covers the funding of one of the most important agencies in our entire government, the Food and Drug Administration within the Department of Health and Human Services. FDA oversees some of the most critical products that our citizens rely on every single day. The vast majority are processed and fresh foods, except for meat, poultry, and egg products; our prescription and over-the-counter drugs; medical devices; our blood supply.

This agency had many problems over the last year, from the recalls of Bextra and Vioxx to hearings in which its drug safety scientists have been at odds with the senior management of FDA. It is troubling, very troubling, that the FDA's acting commissioner was not permitted to come before our subcommittee to testify this year, and that failure made it difficult for the committee to make informed decisions.

I thank the chairman for accepting the amendment that I offered in subcommittee to withhold 5 percent of the funds from the Food and Drug Administration's central offices until the head of the agency testifies regarding their budget request. This will not affect food or drug safety. It will only affect FDA's administrative offices. But I am sure that it will serve to get the administration's and the leadership of FDA's attention.

On that same topic, I thank the chairman for working with me to include funding to double the annual funding for review and direct-to-consumer ads by FDA, as well as another $5 million for drug safety at the FDA.

In 2001, the drug industry spent $2.7 billion on direct-to-consumer advertising, but the FDA office charged with ensuring that those ads are accurate was funded at less than $1 million, $884,000 to be precise. Doubling that amount is a small start toward remedying the inequitable advantage, and the $5 million will be devoted to the most critical aspects of drug safety.

I find it unfortunate the bill includes a 1-year limitation on implementation of the country of origin labeling for meat and meat products. Country of origin labeling would give people the information they need to make an informed choice to protect the safety of their families. Thirty-five other countries that we trade with, including Canada, Mexico, members of the European Union, already have a country of origin labeling system in place. I believe it is a mistake to not move forward on implementing country of origin labeling.

On International Food Aid, the subcommittee bill restores $222 million of funds under Public Law 480 that the administration sought to move to USAID, and I thank the chairman for preventing that move. However, we remain well below the funding level the past few years for that critical aid program. This law not only benefits those in dire need around the world, many of whom are starving to death, it benefits our farmers and our maritime shippers by utilizing our farm products and sources of transportation, and I hope that we can bring that funding level up before this bill becomes law.

I am pleased that the President's proposals to change formula funding for agriculture research institutions and to alter the funding stream for the Food and Safety Inspection Service through user fees were not included in the bill.

I also appreciate the chairman's working with the Democratic members of the subcommittee to begin to fund last year's Specialty Crop Competitiveness Act to enhance specialty crops such as fruits, vegetables, tree nuts, dried fruits, and nursery crops in this bill and for the Farmers Market Promotion Program, a function that can expand the farmer-consumer relationship in many areas of our country.

The programs funded through this bill directly impact the everyday lives of every American, from public health and FDA to rural development, infrastructure maintenance, environmental

conservation and preservation, to nutrition assistance at home and abroad. Failure to adequately invest in these programs will have serious long-term consequences for our Nation.

Again, I have enjoyed working with the chairman and his staff, and I believe that we can take pride in the progress we have made in significantly improving the bill over the proposals that we did receive from the President.

Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. FARR).

Mr. FARR. Mr. Chairman, I rise to engage in a colloquy with the distinguished gentleman from Texas (Mr. BONILLA), chairman of the subcommittee.

I want to thank the chairman and the gentlewoman from Connecticut (Ms. DELAURO), ranking member, for their work on this fiscal year 2006 agriculture appropriations bill. I appreciate what they have done with what they have had to work with. I also want to thank the professional staff: Martin, Maureen, Leslie, Tom, and Martha. They have done a tremendous job in putting together a balanced bill.

Mr. Chairman, under our tight budget constraints, we are happy to see that the USDA CSREES Integrated programs, such as the Section 406 Organic Transition Program, that were moved into the National Research Initiative are directed to be funded at last year's levels.

As a point of clarification, I would like to verify my understanding that the committee's intent is that the Organic Transition Program, although proposed to be funded through the National Research Initiative, will continue to be managed, as it was in fiscal year 2004 and fiscal year 2005, as part of the Integrated Organic Program. Specifically, that the request for proposals will continue to be issued jointly with that of the Organic Research Initiative under the management of USDA CSREES staff, including the Organic National Program leader.

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

Mr. FARR. I yield to the gentleman from Texas.

Mr. BONILLA. Yes, Mr. Chairman. It is my understanding that there are benefits to the Organic Transition Program being managed as part of the Integrated Organic Program, and my intention is that it should continue to be managed as it was in fiscal years 2004 and 2005.

Mr. FARR. Mr. Chairman, reclaiming my time, I thank the chairman for that clarification, and I appreciate the work he has done.

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

Ms. DELAURO. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin (Mr. OBEY), the ranking member of our committee.

Mr. OBEY. Mr. Chairman, as I indicated earlier, I intend to vote for this bill because I think the gentleman from Texas has done a reasonable job, given the limitations placed on him by the budget resolution.

Having said that, I do not want anyone to think that I am enthusiastic about the result. I am not. I think that after we pass this bill today the Food and Drug Administration will still be left with inadequate authority to protect the public health from dangerous drugs. The FDA will still have a terrible time trying to provide new labels for drugs which had been initially approved but which later had been found to be, in some cases, a threat to public health. This Congress has an obligation to fix that. It is being prevented from fixing that by the rule that passed earlier today.

Secondly, I want to say that I think the bill is inadequate in a number of areas. I think that with respect to having a full-fledged animal identification program to help protect the public health against problems like Mad Cow disease, I think that the funding for that is inadequate.

I certainly think that funding for rural sewer and water is grossly inadequate. There is probably more demand in my district for rural sewer and water grants than any other program in the Federal budget. When one lives in a community in which more than 50 percent of the households are headed either by someone over 65 or by a woman who has no long work history outside of the home, that means that that community has very little tax base and very little economic ability to meet environmental standards for water and sewer, and the Congress is doing precious little to help those communities.

I think we are also very negligent with respect to rural housing, and I think that this bill is totally inadequate with respect to International Food Aid.

There are a number of other concerns I have about it. But those are the main ones that I would focus on at this moment.

I will vote for the bill because I think the major fault for the inadequacies of the bill lies with the Committee on the Budget, not with the gentleman who produced the bill. But I think Members need to understand this bill is not adequate to meet the economic development needs of rural America. It is not adequate to meet the environmental needs of rural America. It is not adequate to meet the public health requirements of the American people. I wish it were. Maybe some day it will.

Ms. DELAURO. Mr. Chairman, I yield myself 2 minutes.

Let me just say that I want to make it clear that what we tried to do with regard to the Food and Drug Administration was to call attention to the series of crises that, in fact, have been rampant over the last several months, whether it is Vioxx or whether it is Bextra or whether it is the post-marketing studies that were to occur that never did occur or the slighting, I believe, of our committee in not coming forward and having the director come before our committee.

What we tried to do is to create a balance, and that is to provide additional funding for the Office of Drug Safety to look at direct-to-consumer advertising in order to try to protect the public and to provide additional funding to create some more infrastructure.

I, too, believe that we should have made in order the amendments offered by the gentleman from New York (Mr. HINCHEY). Really what should be happening is FDA should be coming to the Congress for authority in order to be able to change the labeling that, in fact, ultimately protects the public interest and that we ought to have the opportunity and they ought to come and demand from us authority in order to do post-marketing surveys about the risks of some of the products that are on the market. They should be coming to us.

Instead, we want to provide that authority but are not allowed to be able to do that. I think that it was a mistake for us not to do that, but I think we need to continue this effort about trying to provide the agency which has the regulatory power over the pharmaceutical industry to develop some spine in order to be able to protect the public interest.

□ 1245

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

Ms. DELAURO. Mr. Chairman, I yield 5 minutes to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Mr. Chairman, I thank my colleague, the ranking member of the Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies of the Committee on Appropriations, for yielding me this time in support of H.R. 2744; and I want to commend and thank the gentleman from Texas (Chairman BONILLA) and his fine staff for their work on this important bill. We know it is not easy under the budget constraints, and we appreciate all the work that has been done.

I especially want to thank and compliment our new ranking member, the gentlewoman from Connecticut (Ms. DELAURO), and her staff for her efforts to be sure our Nation's diverse needs are met, including in agriculture, in food safety, in pharmaceutical safety, and all of the responsibilities this subcommittee has. It has been a privilege for me to have served as ranking member for several years on this subcommittee, and I have full confidence that the gentlewoman from Connecticut (Ms. DELAURO) will continue to distinguish herself doing an outstanding job in this new role as demonstrated by this very impressive start.

I want to take a brief moment today to raise two issues which are part of this appropriations bill and thank the

committee for its support. Two aspects of this legislation will help rural America produce for the future, produce for the marketplace and develop expanding markets and be value-added for the benefit of both producers and consumers as well as for our Nation.

I have been a very strong supporter of bioenergy funding every year since we first added the first-ever energy title to the farm bill in the year 2001. It took us to this new century and millenium to envision a new energy future based on American agriculture. It is amazing it has been such an uphill struggle to get the Department of Agriculture to help the farmers of our country pull this new industry forward. Sadly, it is the Department of Agriculture that has been the most lax in this partnership.

Every citizen knows America cannot continue importing our fuels. We must restore energy independence here at home. No group is better situated to do it immediately than our farmers and ranchers. More ethanol and biodiesel are being produced each year. America is only beginning to realize the full potential of American agriculture to help move America toward energy independence sooner rather than later.

Just yesterday, producers from around our country displayed a broad array of bio-based products here up on Capitol Hill, ranging from everything from trash cans to lubricants to carpeting to new materials to ethanol to soy diesel, all from American agriculture, as we unlock the mystery of organic chemistry and renewable energy for our future.

The President of the United States has gone to a number of events around the country claiming he supports biofuels. He was at another one in Virginia last week. But one of the key facts that the press fails to report is that the President's budget keeps proposing cuts in the programs he claims to support. Year after year, we have seen cuts of $50 million or more proposed in the bioenergy program at the U.S. Department of Agriculture, which is a very small program. Year after year, we have to work here in this House and in this Congress to restore it.

I am very pleased that this bill includes $23 million for section 9006 renewable energy grants and loans. Given the growing support for this program, I am happy that we were able to obtain the money in the base bill without the need to offer amendments, as we have had to do over the past 2 years.

One of the real success stories in American agriculture in recent years, beyond this effort to try to convert to renewable fuels, has been the rapid rise of farmers markets and roadside stands across our country to help our small family and medium-sized farmers direct market. As cartels take over our food system, this is a way forward for independent farmers across our country.

These markets are not just in rural areas. They are in urban areas where there are no big grocery stores. They are in urban areas where ethnic markets offer great opportunities. They are in urban areas offering economic development activity that links knowledgeable consumers with appreciative vendors. They are in suburban areas. In fact, they are right here behind the U.S. Department of Agriculture, where we had to fight to get the Department to allow a farmers market to operate so the millions of tourists who come here every year could buy products grown in Virginia and Maryland and help our local producers realize some of that income directly.

We were able to secure, with the help of the gentleman from Texas (Chairman BONILLA) and the ranking member, the gentlewoman from Connecticut (Ms. DELAURO), as part of this bill to begin funding for the Farmers Market Promotion Program authorized in the farm bill several years ago. Competitive applications from across the country will be solicited to help expand the availability of fruits and vegetables to consumers who want these products but cannot get them as readily as you might believe. It will help link our farmers to the real consumer market that they deserve to connect to.

One regret I do have is we were not able to increase funding for the Seniors Farmers Market Nutrition program, which has shown that linking senior citizens with area farmers is an absolute win-win for both nutrition and for American agriculture. The $15 million provided by the farm bill is only about half of what the Nation is already saying that it needs. But there is no doubt that this program could expand greatly in the years to come, and we are going to make every effort to do that.

I look forward to working to help these programs expand to meet the true need among our Nation's seniors as well as others as we move to conference and urge support for the fiscal 2006 agriculture appropriations bill.

Again, I thank the gentleman from Texas (Chairman BONILLA) for his great composure during committee meetings and his great leadership, and also the gentlewoman from Connecticut (Ms. DELAURO) and congratulate her for the great job she has done on this bill.

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

Ms. DELAURO. Madam Chairman, I yield 2¼ minutes to the gentleman from Illinois (Mr. EMANUEL).

Mr. EMANUEL. Madam Chairman, I thank my colleague from Connecticut for her great work.

Madam Chairman, this year, just like last year and the year before, an amendment banning the use of funds to stop reimportation of prescription drugs has been added to this legislation. It does feel like Ground Hog Day around here. We all know the next part of the story. So if you are going to stay up late at night watching C–SPAN, just put it on TiVo. You do not have to stay up.

Once again, after we pass it here, and we are going to stand and give our speeches, the conferees from both parties, both Chambers, are going to go to the conference, and in the dark of night this provision is going to be stripped from the bill that would help our senior citizens and our taxpayers get affordable drugs at affordable prices. The pharmaceutical companies will come in and do their bidding, and this Congress will turn around and heed their interests.

After the American people have spoken clearly, this Congress last year when we voted for this overwhelmingly, just as recently as 2 weeks ago 221 bipartisan Members of Congress sent a letter to the Speaker asking for an up-or-down vote on this legislation. Here we have an attempt to make sure that the Congress and the voice of the American people is clear on the issue of funding for reimportation; and in the dark of night, mark my words, they will strip this out, as they did last year, as they did the year before, and Ground Hog Day will come to the United States Congress.

Instead of using the money and the limited resources we have to help develop a system to allow for drug reimportation, the FDA has insisted on using their time and the precious resources of the American people to crack down on elderly Americans who purchase affordable prescription drugs from Canada, England, Ireland, and the rest of Europe because they cannot afford those medications here.

The FDA has even seized the drugs purchased through the State-sponsored programs like the Illinois I-Save Rx program. As Senator FRIST would say, all we are asking is for an up-or-down vote, and that is what we would like on reimportation.

Let us listen to the American people, to the will of the bipartisan Members of Congress and allow a vote on this comprehensive prescription drug importation legislation this year.

I would like to thank my colleague from Connecticut for her leadership on this. For the Members who want it to be clear, I would just hope the American people have an opportunity to watch what happens in the dark of night so we do not repeat Ground Hog Day around here.

Mr. BONILLA. Madam Chairman, I yield 4 minutes to the distinguished gentleman from Iowa (Mr. LATHAM), a member of the subcommittee.

Mr. LATHAM. Madam Chairman, first of all I want to thank the gentleman from Texas (Chairman BONILLA) for doing such a great job on this bill and for his hard work leading the subcommittee through a very difficult, tight allocation and really coming out with an excellent bill, and also the gentlewoman from Connecticut (Ms. DELAURO), such a great ranking Member and true professional. I appreciate that very much. I also want to express

my appreciation to the extremely professional staff that we have on the subcommittee. It really makes our job so much easier.

Like I mentioned, this was a difficult bill with a tight allocation, and I think we have a very good product in the end here because of that.

I especially want to point out something I think is very important to all livestock producers, anyone concerned about food safety, which is the final $58.8 million going to National Animal Disease Center at Ames, Iowa. This is the last of the $462 million that we have appropriated since the year 2000 for this extraordinarily important facility. I hope this year that the Senate will concur and get their number so we do not have to revisit this issue again next year with the appropriation bill.

I am very pleased that the bill includes funding for renewable energy. Obviously, this is very important for Iowa and our country as far as soy diesel, ethanol, biomass, all of those things that are critically important long term as far as gaining energy independence for the United States, but also doing it in a renewable way that is environmentally friendly. This is extraordinarily important; and because of the work we have done here, we are able to finally experience true value-added agriculture for our farmers at home, so they are able to reap the profits from renewable energy.

I am very pleased that the chairman has included funding to fight the potential problem and the very real potential problem of soybean rust that has gotten into our country, which could be absolutely devastating to a tremendous crop throughout this country, Iowa and the Midwest in particular.

I am very pleased also that the bill includes funding for continued work as far as the Animal ID System that we are trying to get in place so that we can in fact find when we have an outbreak of, say, mad cow disease, something like that, that we are able to identify where that animal came from and that we can ensure the food safety.

One issue that was of some controversy through the hearings was continued funding under the Hatch Act for agricultural research. I believe that by continuing the funding of the Hatch Act and getting the dollars to the universities where they absolutely are needed, the Hatch Act funding will allow continued vital research at our land grant universities and allow them to continue the great job that they do for agriculture, for our farmers today to ensure that the breakthroughs of the future will be in the hands of the farmers and for their benefit.

Also we have to make sure, and this bill does it, that we have a continuing, strong Risk Management Crop Insurance program. We all have concerns about how it has been administered, and we wanted to make sure that the agency reports to us on a quarterly basis so that we can in fact make sure that that vital program stays in place.

Again, in closing, I just want to say thank you once again to the chairman and the ranking member and all the committee staff. This is a tough year, and it is a great bill. I encourage all of my colleagues here in the House to support this bill.

Ms. DELAURO. Madam Chairman, I yield 5 minutes to the gentleman from New York (Mr. HINCHEY), a member of the subcommittee.

□ 1300

Mr. HINCHEY. Madam Chairman, first of all, let me express my appreciation to the leader on our side on this subcommittee, the gentlewoman from Connecticut (Ms. DELAURO). This is her first year as the minority rank on this subcommittee, and she is doing an outstandingly good job, and we all very much appreciate the work that she is doing.

I also want to express my appreciation to my chairman. He also is doing a very good job, particularly under a very difficult set of circumstances; and those difficult set of circumstances are, particularly, the allocation that this subcommittee has been afforded. But that, of course, is universally true. All of these subcommittees have been afforded very small, ineffective allocations, ineffective to do all the things that need to be done. But, nevertheless, in spite of that, I think the chairman has done a good job.

There is one aspect of this bill, however, to which I would like to draw attention, because it is an aspect of the bill that is entirely deficient and not only deficient but, because of these deficiencies, the result is a potential for serious harm to a large number of American citizens. That is the way in which the Food and Drug Administration is treated in this legislation, and the fact that the Congress has not provided to the FDA the kinds of authority that it needs in order to protect the general public against the marketing of prescription drugs in ways that are causing serious harm to large numbers of the American people.

Now, recently we have had two experiences, that is, the Nation has had two experiences, with drugs that have been very difficult and dangerous. The first is antidepressants and the way that they have been marketed. They have been marketed largely to people who were targeted for marketing off-label. A lot of the people who they were marketed to and who used them were young folks, young people, teenagers. The effect of these antidepressants on young folks, youngsters, teenagers, people in their early 20s particularly, has been to engender in them a deep sense of depression which, in many cases, has led to suicide; and it has taken us a long time to get attention focused on that problem.

Another example is the so-called Cox-2 inhibitors, or prescriptions such as Vioxx. Vioxx has presented a major, major problem to consumers across the country. It is likely that several hundred thousand people, as a result of the use of Vioxx, have fallen into conditions where their health has been seriously injured; and it may be, and probably is, that more than 100,000 people suffered death as a result of the use of this prescription drug Vioxx.

Now, that comes about as a result of the failure of this Congress to give the FDA the kind of authority it needs to deal with the drug companies; and I later in the debate on this legislation will offer two amendments to deal with this problem.

But, right now, I want to draw the attention of the Members of this House to this issue. This is a serious issue which affects the health and safety of the American people in material and very dramatic ways. It is an issue that is causing the unnecessary death of large numbers of Americans, and it is an issue that we have not dealt with and should deal with, and if we do address it properly, it will alleviate this condition and stop placing so many of American citizens in the kind of dangerous, desperate circumstances that they have fallen into which have caused serious injury to their health and death in large numbers of people.

So what we need to do is to give the Food and Drug Administration the authority to deal with the pharmaceutical companies in the way that any regulatory agency would deal with the entity that it is regulating.

For example, in the case of Vioxx, once that drug got on the market and it became clear that people were being injured as a result of exposure to it, and the off-label marketing of that drug particularly, once that became clear, the Food and Drug Administration was not in a position to tell the drug company that they had to engage in an educational program which would ensure that people to whom the drug would be dangerous would not be using it. They could not order the pharmaceutical company to do anything with regard to the labeling on that drug. They had to negotiate with the company.

So these are some of the major issues that we are facing, one of the major deficiencies in this legislation that needs to be addressed, and I will be offering two amendments later on in the debate, and I hope that the Members of this Congress will embrace those amendments.

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

Ms. DELAURO. Madam Chairman, I would like to inquire about how much time is remaining on both sides.

The Acting CHAIRMAN (Mrs. CAPITO). The gentlewoman from Connecticut has 2½ minutes remaining; the gentleman from Texas has 22½ minutes remaining.

Ms. DELAURO. Madam Chairman, I reserve the balance of my time.

Mr. BONILLA. Madam Chairman, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. KANJORSKI).

Mr. KANJORSKI. Madam Chairman, I appreciate the gentleman yielding me this time, and I want to explain a problem that we discovered as the bill has been moving through.

Since 1997, by Executive order, a program was created known as the American Heritage Rivers Initiative. In that program, there are 14 rivers, one of which is the Hudson River in New York State and the Susquehanna in Pennsylvania. As a combined effort over the last 5 or 6 years, funding for the river navigator has come through the program of the Natural Resources Conservation Service. Either inadvertently or otherwise, even though we have had bipartisan support for the support of these two navigator positions for the Hudson River and the Susquehanna, the Susquehanna was inadvertently not included in report language on page 51 of the report, where only the Hudson River is indicated.

What I would request from the chairman is assurances that during conference that report language would be amended to include the Susquehanna River for funding the navigator.

Just as a justification for that, I want to point out that the Susquehanna River has been designated by American Rivers as one of the most polluted and endangered rivers in the country. Toward that end, the navigator presently in place has been involved in two areas: improving water quality and use, and increased economic development in the region.

To give my colleagues an example, we are now in the throes of more than $100 million in projects as a result of the effort of the navigator position: remodeling an old hotel in downtown Wilkes-Barre on the waterfront that exceeds $24 million in costs; riverfront revitalization that is between $25 million and $30 million; a program of $10 million of the GIS project to include the entire Susquehanna watershed so that we can work on water quality problems in that area of the Susquehanna River; and a project, an ongoing project presently of over $30 million to service the combined sewage overflows into the Susquehanna River. Without the key leadership of the navigator, we will lose that $100 or $150 million in projects and return to really zero.

What I am urging the chairman to indicate is his willingness to amend the report language as this bill proceeds through conference to include not only the Hudson River but also the Susquehanna River. I may assure the chairman that we have worked in a very bipartisan effort with members of the New York delegation and Governor Pataki's office that both of these river navigator positions should be funded in this bill, as the other 12 navigators are funded in other appropriations bills across the country. But to leave out the Susquehanna River, either inadvertently or by error, would be catastrophic to my congressional district.

Mr. BONILLA. Madam Chairman, will the gentleman yield?

Mr. KANJORSKI. I yield to the gentleman from Texas.

Mr. BONILLA. Madam Chairman, the gentleman has worked very hard on this project; and at this time, as chairman, I would like to commit to trying to resolve this problem to his satisfaction between now and the conference.

Mr. KANJORSKI. Madam Chairman, I appreciate the chairman's interest; and I will rely on the chairman's good faith to accomplish to that end. As a result, I think we can all say that we have resolved this problem.

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

Ms. DELAURO. Madam Chairman, I would ask the chairman if he has any additional speakers.

Mr. BONILLA. Madam Chairman, we have no additional speakers at this time.

Ms. DELAURO. Madam Chairman, I yield myself the remaining 2½ minutes to close.

Madam Chairman, as we conclude the general debate, I wanted to reiterate that it has been a pleasure to work with the gentleman from Texas (Chairman BONILLA) on the bill. Given limited resources, I think we have tried to do a good job to meet the needs of rural America, our Nation's farmers, and other accounts funded in the bill.

As we begin to move through the amendment process, I look forward to trying to address several areas in the bill that I believe could use some improvement.

I mentioned earlier the Commodity Supplemental Food Program. A majority of older Americans, nearly 45,000 participants, will have to be dropped from this vital program unless more funds are provided.

Also of concern to me is the 1-year limitation on implementation of country of origin labeling for meat and meat products. Consumers in this country need the information to make informed decisions for their safety and the safety of their families, and I hope that the House will reconsider the country of origin labeling provision in this bill.

Overall, I think that the committee can feel good about the work that it has done on this legislation thus far. I am hoping that we can look at an amendment process where we can improve the bill even more in just a few critical areas.

I would hope that with regard to the Food and Drug Administration that, in fact, we will be able to provide them with the authorities that I think the Nation would believe that they desperately need, and that is to be able to do post-marketing studies on drug products on the market and also to change labels that would need changing in order to protect the citizenry of this country.

Mr. PETERSON of Minnesota. Madam Chairman, I rise in strong support of H.R. 2744.

Madam Chairman, the Chairman and the new Ranking Minority Member of the Agriculture Appropriations Subcommittee have done an excellent job under very difficult circumstances.

Madam Chairman, I support this bill because it will ensure that important farm bill programs are administered—as well as many of the important discretionary programs of USDA.

Madam Chairman, the Farm Bill was developed in a responsible, forward-looking manner. It was devised within the terms of the Congressional budget, and while it addressed farm income, it also made substantial investments in research, in conservation, and in enhancing the nutrition programs that protect the needy.

But because of this Congress' failure to take a similar, forward-looking approach to government debt, this bill makes deep cuts in those farm bill programs that were so strongly supported in this House. The FY 2004 Agriculture Appropriations bill made substantial cuts in Farm Bill programs, the FY 2005 bill went even farther, and this bill cuts them even more.

Madam Chairman, the Appropriations Committee can't be blamed for this situation. They have worked on a bipartisan basis to provide the best bill possible in a bad situation.

But in order to meet the cap, this bill cuts these mandatory farm bill programs: the Initiative for Future Agriculture and Food Systems; rural broadband and local television initiatives, the Wetlands Reserve Program, bioenergy and renewable energy development; the EQIP program, the Conservation Security Program, the Wildlife Habitat Incentives Program, the Farmland Protection Program, and others as well

Madam Chairman, the Farm Bill—which was developed in a very inclusive and bipartisan manner—has been working very well. In fact, during the time it has been in effect, commodity program spending has been $15 billion less than originally projected. But our current fiscal policies are tearing the Farm Bill apart bit by bit. I hope that soon we can end the partisanship that characterizes fiscal policy and work together towards a common solution.

Madam Chairman, once again I commend Appropriations Committee members on both sides for their work on this important bill and I urge my colleagues to vote for its passage.

Ms. LORETTA SANCHEZ of California. Madam Chairman, I rise today to express my disappointment at the under-funding of the Commodity Supplemental Food Program under the Agriculture Appropriations bill for FY 06.

The Commodity Supplemental Food Program is a federal program designed to improve the health of senior citizens, pregnant women and children whose income is not enough to pay for nutritious food.

Through this program, seniors, pregnant and breastfeeding women, and children younger than 5 in 34 States in this country have access to a monthly basket, which provides them with basic food, such as milk, rice, pasta, juice, canned vegetables, meat and fish, and cheese.

Each basket is designed to satisfy the specific needs for people who often have to choose between purchasing food and satisfying other necessities. Each basket has the purpose of assisting elder people to stay healthy and active, and children to grow healthy and productive.

Inadequate funding for the Commodity Supplemental Food Program would result in the removal of more than 75,000 people currently participating in the program. Seniors, women and children in poverty cannot wait until next year to get adequate funding for the food they need.

For these reasons, I recommended to the Committee that funding for the Commodity Supplemental Food Program be increased to $148 million. Unfortunately, the House appropriation falls far below the amount necessary. I can only hope that my colleagues in the other Chamber will approve the adequate funds to avoid this social catastrophe.

By approving increasing fund for this program we will show seniors, women and children in need, that we care and work for them.

Mr. NUSSLE. Madam Chairman, I rise to speak on the measure before us, providing budget authority for programming by the U.S. Department of Agriculture and others. It provides for about 20 percent of total USDA budget authority. As Chairman of the Budget Committee, I am pleased to note that this bill is consistent with the levels established in H. Con. Res. 95, the House concurrent resolution on the budget for fiscal year 2006. Overall spending in the bill is $29 million more than the 2005 enacted level and $22 million above the President's request.

DEPARTMENT OF AGRICULTURE

In most areas within USDA, appropriators ended up somewhere between the President's request and the 2005 enacted level. None of the President's initiatives to collect $178 million in new or increased user fees was taken up, making up the difference through spending reductions in some discretionary programs and through $1.4 billion in reductions in some mandatory programs authorized for the first time in the 2002 farm bill.

The bill makes changes in various mandatory programs that reduce net budget authority by $1.4 billion. Specifically, it reduces budget authority by about 25 percent for a number of mandatory conservation programs and eliminates funding for a subset of agricultural research and rural development programs. While the use of one-year savers in mandatory programs to stay within the Subcommittee's 302(b) allocation has become routine, the Agriculture Committee could change some of these same mandatory programs themselves in order to comply with the reconciliation instructions in the Fiscal Year 2006 budget resolution.

FOOD AND DRUG ADMINISTRATION

H.R. 2744 provides $1.8 billion for the salaries and expenses of the Food and Drug Administration [FDA], an increase of $55.3 million, or 3.1 percent, above the 2005 enacted level and a decrease of $17.7 million below the President's request. Of the appropriated funds, $357 million is financed from on-going drug, device and animal drug user fees. Under provisions of the Prescription Drug User Fee Act, the FDA will collect $305 million as user fees to offset part of the costs of prescription drug approval. This bill provides an increase of $12.4 million for food safety and counterterrorism activities to ensure consumers are protected against intentional and accidental risks that threaten our food supply.

H.R. 2744 does not contain any emergency-designated BA, which is exempt from budget limits. The bill does rescind $32 million in the unobligated balances of the Special Supplemental Nutrition Program for Women, Infants, and Children.

IOWA CONCERNS

I am particularly pleased that this legislation contains critical funding for ag and food safety programs in my home state of Iowa. Specifically, I would like to commend the committee for funding the completion of the National Centers for Animal Health in Ames, Iowa, where vital research to keep our nation's food supply safe is being done everyday. In addition, this bill continues funding for the Agriculture-Based Industrial Lubricants (ABIL) program at the University of Northern Iowa in my Congressional district. The ABIL program continues to promote value-added and environmentally safe agriculture products.

As we continue the appropriations season, I commend Chairman LEWIS and our colleagues on the Appropriations Committee for meeting the needs of the American public within the framework established by the budget resolution. In conclusion, I express my support for H.R. 2744.

Mr. DELAURO. Madam Chairman, I yield back the remainder of my time.

Mr. BONILLA. Madam Chairman, in the interest of moving forward and moving to the amendment process, I yield back the balance of my time.

The Acting CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule. During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Clerk will read.

The Clerk read as follows:

H.R. 2744

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2006, and for other purposes, namely:

TITLE I

AGRICULTURAL PROGRAMS

OFFICE OF THE SECRETARY

For necessary expenses of the Office of the Secretary of Agriculture, $5,127,000: *Provided,* That not to exceed $11,000 of this amount shall be available for official reception and representation expenses, not otherwise provided for, as determined by the Secretary.

EXECUTIVE OPERATIONS

CHIEF ECONOMIST

For necessary expenses of the Chief Economist, including economic analysis, risk assessment, cost-benefit analysis, energy and new uses, and the functions of the World Agricultural Outlook Board, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1622g), $10,539,000.

NATIONAL APPEALS DIVISION

For necessary expenses of the National Appeals Division, $14,524,000.

OFFICE OF BUDGET AND PROGRAM ANALYSIS

For necessary expenses of the Office of Budget and Program Analysis, $8,298,000.

HOMELAND SECURITY STAFF

For necessary expenses of the Homeland Security Staff, $934,000.

OFFICE OF THE CHIEF INFORMATION OFFICER

For necessary expenses of the Office of the Chief Information Officer, $16,462,000.

COMMON COMPUTING ENVIRONMENT

For necessary expenses to acquire a Common Computing Environment for the Natural Resources Conservation Service, the Farm and Foreign Agricultural Service, and Rural Development mission areas for information technology, systems, and services, $124,580,000, to remain available until expended, for the capital asset acquisition of shared information technology systems, including services as authorized by 7 U.S.C. 6915–16 and 40 U.S.C. 1421–28: *Provided,* That obligation of these funds shall be consistent with the Department of Agriculture Service Center Modernization Plan of the county-based agencies, and shall be with the concurrence of the Department's Chief Information Officer.

AMENDMENT OFFERED BY MR. BONILLA

Mr. BONILLA. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BONILLA:

On page 3, line 12, insert after the dollar amount the following: ''(decreased by $40,000,000)'';

On page 30, line 19, insert after the dollar amount the following: ''(decreased by $20,000,000)'';

On page 33, line 2, insert after the dollar amount the following: ''(increased by $20,000,000)'';

On page 44, line 1, insert after the dollar amount the following: ''(increased by $40,000,000)''; and

On page 44, line 10, insert after the dollar amount the following: ''(increased by $40,000,000)''.

Mr. BONILLA (during the reading). Madam Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. BONILLA. Madam Chairman, I would like to briefly explain the amendment and the purpose of the amendment.

First of all, the amendment cuts $40 million from the Common Computing Environment account and increases the value-added market development grants by $40 million. The amendment also reduces the Conservation Operations account by $20 million, and it increases the Watershed Rehabilitation account by the same amount.

I understand that Members may have some concern with these transactions that we are involved with here, but the reason that we are doing this today is to accommodate some legitimate concerns raised by the authorizing committee about some of the mandatory limitations in this bill. I have worked closely with the gentleman from Virginia (Chairman GOODLATTE) over the years, and I intend to work with him closely in the future, especially as he prepares to write a new farm bill. While I would have preferred to keep the CCE account funded at the highest level possible, I am confident that when we get to the conference with the Senate that we will be able to restore funding to this account.

So let us keep this funding moving forward, and I ask for Members' support on this amendment. It is my understanding that the minority has agreed to this amendment, so we hope to expedite debate.

□ 1315

The Acting CHAIRMAN (Mrs. CAPITO). Is there further debate on the amendment?

The question is on the amendment offered by the gentleman from Texas (Mr. BONILLA).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. BUTTERFIELD

Mr. BUTTERFIELD. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BUTTERFIELD:

Page 3, line 12, after the dollar amount, insert the following: ''(reduced by $2,000,000)''.

Page 17, line 18, after the dollar amount, insert the following: ''(increased by $1,875,000)''.

Mr. BUTTERFIELD. Madam Chairman, I bring this amendment to the floor today on behalf of myself, the gentleman from California (Mr. BACA), the gentleman from Texas (Mr. REYES), and the gentleman from Georgia (Mr. SCOTT) in order to provide much needed financial assistance to our Nation's minority farmers, and to the 1890 Land Grant Colleges and Universities.

While I generally support this legislation, it falls short, in my estimation, in the area of funding for rural development. We must, Madam Chairwoman, offer more outreach and more technical assistance to our farmers. During fiscal year 1983, President Reagan initiated the Small Farmer Outreach Training and Technical Assistance program in response to the USDA task force on black farm ownership.

It reflected a commitment to implement Reagan's Presidential Executive Order 123–20 dated September 15, 1981, to support Historically Black Colleges and Universities by addressing the many civil rights issues that are confronted by the agency.

This is the only program, the only program implemented by the USDA that directly helps minority farmers who are losing their farms at a rate that far exceeds their white counterparts. I, therefore, Madam Chairman, urge my colleagues to support this amendment.

Mr. BONILLA. Madam Chairman, we are willing to accept this amendment and move forward.

Mr. BACA. Madam Chairman, I rise in strong support of the Butterfield-Scott-Baca-Reyes amendment.

This amendment increases the funding to the 2501 Socially Disadvantaged Farmer and Rancher program by $2 million from $5.935 million to $7.935 million.

These grants are meant to provide outreach and technical assistance to encourage and assist socially disadvantaged farmers and ranchers to own and operate farms and ranches and participate in agricultural programs.

This assistance includes information on application and bidding procedures, farm managements, and other essential information to participate in agricultural programs.

These grants may also be awarded to Hispanic Serving Institutions, Tribal Colleges and Historically Black Colleges and Universities that engage in outreach to minority farmers.

This program helps to mitigate a long history of unequal treatment of minority farmers and ranchers.

The USDA has already paid over $1 billion to settle discrimination lawsuits. By investing in the 2501 program, we can improve relationships between the USDA and socially disadvantaged farmers and prevent future lawsuits.

This is a small investment that could potentially save millions in the future.

I urge my colleagues to vote "yes" on the Butterfield-Scott-Baca amendment.

Mr. REYES. Madam Chairman,, I rise in strong support of the Butterfield Amendment, which would add $2 million to the USDA's Small Farmer Outreach Training and Technical Assistance Program.

As a young man growing up in the El Paso Upper Valley Community of Canutillo, I experienced the many challenges that small and medium farmers face daily. My grandfather, father and close family members contributed to the operation of the family farms in the El Paso and Dell City Valley, Texas.

Also, throughout my tenure in Congress, I have met with many minority farmers from my Congressional District of El Paso, Texas. These Hispanic farmers have faced many challenges. Outreach, training, and technical assistance are essential to help them succeed in today's challenging agriculture economy.

Unfortunately, while Hispanics are the fastest-growing population in the country, they remain a disadvantaged minority when it comes to having the resources to own and farm our nation's land. Farming and ranching are full time, 24 hour, seven day endeavors, and our small and disadvantaged farmers and ranchers merit our consideration and assistance. Adequate funding for this program would provide the farmers with technical, farm management, and marketing assistance, all of which are important to keeping our farmers productive on their land.

The Small Farmer Outreach Training and Technical Assistance Program has made a great impact in the El Paso and Las Cruces region, and without the proper funding for the program I fear our farmers will be lacking the means to succeed. I strongly urge my colleagues to join me in supporting our nation's minority farmers by ensuring the passage of this important amendment, and I appreciate the efforts of Mr. BUTTERFIELD and others on this important issue.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina (Mr. BUTTERFIELD).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. HINOJOSA

Mr. HINOJOSA. Madam Chairman, I offer amendment No. 4 on behalf of the gentleman from California (Mr. BACA).

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. HINOJOSA:

Under the heading ''COMMON COMPUTING ENVIRONMENT'', insert after the dollar amount the following: ''(reduced by $855,000)''.

Under the headings ''COOPERATIVE STATE RESEARCH, EDUCATION, AND EXTENSION SERVICE'' and ''RESEARCH AND EDUCATION ACTIVITIES'', insert after the first dollar amount, and after the dollar amount relating to an education grants program for Hispanic-serving Institutions, the following: ''(increased by $855,000)''.

Mr. HINOJOSA. Madam Chairman, I am offering this amendment on behalf of myself and my colleague, the gentleman from California (Mr. BACA).

I want to thank the chairman, the gentleman from Texas (Mr. BONILLA), and the ranking member, the gentlewoman from Connecticut (Ms. DELAURO), for putting together this bipartisan bill.

I believe this amendment will be an important improvement. The Baca/Hinojosa amendment would take $855,000 from the Common Computing Environment program and transfer it to the Hispanic Serving Institutions Education grant program under the Cooperative State Research Education and Extension Service.

This competitive USDA/HSI grant program is designed to promote and strengthen the ability of HSIs to carry out education programs that attract, retain, and graduate outstanding students capable of enhancing the Nation's food and agriculture, scientific and professional work force. This program is making a difference in the Latino community. Coastal Bend Community College in Beeville, Texas has used its USDA/HSI grant to improve retention, expand and strengthen the agriculture curriculum, engage high school students in agriculture-related fields through dual enrollment programs, and increase the number of articulation agreements with area universities like Texas A&M at Kingsville and many universities throughout the country and the territories!

Although Title VIII of the Farm Bill authorizes $20 million for this program, actual appropriations remain at only 28 percent of the authorized level.

Only 2.7 percent of HSI college graduates earn a degree in agriculture-related areas. The continued underrepresentation of Hispanics in these important areas of agriculture demands a greater investment in such programs to expand funding to additional HSIs to better meet USDA goals.

With over 200 HSIs, serving over 1.4 million students, it is time to increase the appropriations for this program beyond current levels. Our amendment is a modest step in that direction.

I strongly urge my colleagues to support this amendment.

Mr. BONILLA. Madam Chairman, will the gentleman yield?

Mr. HINOJOSA. I yield to the gentleman from Texas.

Mr. BONILLA. Madam Chairman, the gentleman has worked very hard on this important issue, which is very important to students around the country; and we would be happy to accept the amendment and move forward and move it to a vote if the gentleman would like.

Mr. HINOJOSA. I would accept that. If the gentleman from Texas will accept the amendment, I will.

Mr. BACA. Madam Speaker, I rise in strong support of this amendment, which I have introduced with my colleague Congressman HINOJOSA.

This amendment provides an additional $855,000 in funding for grants to Hispanic Serving Institutions, which are colleges and universities with at least 25 percent Hispanic enrollment. The funding will be offset from the Common Computing Environment, which is funded at $130 million.

This account was funded at $5.6 million last year. The appropriations act for Fiscal Year 2006 funds the account at $5.645 million, only $45,000 more than last year's level. The Baca-Hinojosa amendment will bring this funding to $6.5 million, the amount requested by the Congressional Hispanic Caucus.

This funding is given out on a competitive basis to Hispanic Serving Institutions for agricultural research. These grants increase the ability of colleges and universities to serve Hispanic and low-income students. In my own district, California State University San Bernardino has benefited from these funds in the past.

Forty-one percent of all USDA research project proposals from HSIs are funded, a remarkable success rate for proposal acceptance. Clearly, this is a great resource that needs to be further funded to reach its true potential.

Other important institutions that serve minority communities each receive more than double the funding of HISs. We must ensure that HSIs are funded at the same level as other similar programs.

I commend Chairman BONILLA for his effort to gradually increase funding for Hispanic Serving Institutions. However, an inequity still remains and must be corrected.

If this Congress is going to be dedicated to providing a top-quality education for all students in America, then we need to ensure that we fully fund HSIs and other institutions that reach out to our underserved communities.

I urge my colleagues to vote "yes" on the Baca-Hinojosa amendment.

Mr. CARDOZA. Madam Chairman, I rise today, in support of the Baca-Hinojosa amendment to the agriculture appropriation bill to increase funding for Hispanic serving institutions.

This increase would grant additional funding for 193 of our Nation's Hispanic serving colleges and universities who are committed to ensuring greater Hispanic representation in higher education in the U.S.

There are 54 Hispanic serving institutions in my home State of California, and in my congressional district, which ranks among the highest in agriculture producing districts in the country, there are four Hispanic serving institutions. One Hispanic serving institution in particular that will benefit is UC Merced, an exceptional research institution committed to reducing under-representation of valley students in the fields of agricultural sciences and natural resources.

Madam Chairman, I support an increase in ag-related educational funding. I believe that it will not only benefit my district but also the agricultural education and production of our country on a whole.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. HINOJOSA).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. WEINER

Mr. WEINER. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WEINER:

Page 3, line 12, after the dollar amount insert the following: ''(reduced by $21,000,000)''.

Page 18, line 12, after the first dollar amount, insert the following: ''(increased by $18,885,000)''.

Mr. WEINER. Madam Chairman, pictured on this chart is an Asian long-horned beetle. This is one of the many pests that are under the responsibility of APHIS, the Animal and Plant Health Inspection Service. This is an insect that bores its way into trees, primarily in Illinois, in the northeast, and kills them.

There is no way to stop this pest except by cutting down the tree. And we in New York and in New Jersey and Illinois have had to chop down a lot of them.

What my amendment will do is to increase the funding for APHIS, to bring it up to the level that the Bush administration proposed in their preliminary budget. It is estimated that the amendment that we are offering today with the gentleman from Michigan (Mr. MCCOTTER) and my colleagues from New York and others around the country, by increasing by $19 million, we will wind up preventing more than $700 billion worth of damage to trees throughout the country.

This is not just a problem that will be solved for the Asian long-horned beetle. If you have the emerald ash borer in Indiana, Ohio or Michigan, or in the Pacific Coast, or suffer from sudden oak death in California or Oregon, or are dealing with the glassy-winged sharpshooter in California, or of course boll weevils throughout the South, all of these are pests which are having a dramatic impact on our economy, or is having a budget cut in this round to an unacceptable level.

First let me say of the chairman and the ranking member, they are doing a lot with less and less. The staffs of both the minority and majority side should be commended for taking a very small allocation and trying to make it as best they can. However, what my amendment will do is it will take a program that essentially does the computing and data processing part of the Agriculture Department and moves it into dealing with these pests.

Obviously, I would like not to have to cut any part of the Agriculture Department, but this is an offset that works. We found, when this House weighed into this debate in the past and increased funding through an amendment on the floor, we wound up having a substantial positive impact. When the Asian long-horn beetle was first kind of discovered in 1999 here in the east coast, there were 2,500 trees that were affected. It was down to just 66 in 2004. Unfortunately, that downward trend has recently been reversed.

This, the House bill that we are considering today, allocates $22 million less for APHIS than President Bush had requested. The Nature Conservancy, which studies the impact of pests like the Asian long-horn beetles, says that we really need a $44 million increase. We are not going to be able to get a $44 million increase in this bill.

What the amendment does is try to reach a point that we at least start to win the battle again, start to lead to a reduction in the amount of trees that are infected, not only by the Asian long-horn beetle, but by the emerald ash borer and others that I mentioned.

There is hardly a State in the Union that has not found its trees impacted by these pernicious insects. APHIS has been an effective way to reverse the course. A combination of research and remediation has proven that the dollars spent on these things turn out to be extraordinarily helpful. Whether it is the cactus moth or the gypsy moth in Washington-Oregon, I would urge my colleagues in virtually every State of the Union to look to see if you have an insect that represents a pest that is impacting not only the trees in the abstract sense of our environment, but also our economy.

There is hardly a State in the Union that would not benefit from this amendment. As I said, I believe that the ranking member, the gentlewoman from Connecticut (Ms. DELAURO), and the chairman, the gentleman from Texas (Mr. BONILLA), deserve great credit for how they have done more with less. We are making a minor change to increase the funding for APHIS by $19 million to allow even more work.

The gentleman from Michigan (Mr. MCCOTTER), who is sponsoring this amendment with some of us in the New York and New Jersey delegation, is detained. He is expected on the floor shortly, but he represents, as so many other Members do, a bipartisan effort to make sure that insects like this are vanquished once and for all.

Mr. BONILLA. Madam Chairman, I rise to oppose the amendment.

Although I certainly understand and share the concerns that many Members have about plant, pests and diseases that devastate crops and trees, I must say that we have done our absolute best to fund eradication and control of plant pests in the bill that you see before you today.

Funding includes, among other things, for the Asian long-horn beetle, it is at $15.3 million. Also, across the country, the glassy-winged sharpshooter, 24 million; the emerald ash borer, 14 million; Citrus canker, $36 million, very important to our Members in Florida. And the list goes on.

Emerging plant pests alone are funded at over $100 million in this bill. In addition, tens of millions of dollars go to fund programs to stop Medfly, the boll weevil, brucellosis, the gypsy moth, and many others. Every Member has some interest represented. And we

have carefully balanced things out so that agriculture is best protected, and that is what we all want.

Those are the appropriated amounts, and when there is an emergency situation, the Secretary has authority to use funds from the Commodity Credit Corporation for eradication and control. For sudden oak death, an additional $9 million was approved this year, and requests are pending for 11 million for the emerald ash borer and $5 million for the glassy-winged sharpshooter.

We are watching the use of emergency funds closely. There is no way that appropriated dollars substitute for the emergency funding that these agriculture emergencies demand. I am also very concerned about the amendment due to the offset proposed to cut the common computing environment. I do oppose this amendment once again and urge a ''no'' vote.

Mrs. MALONEY. Madam Chairman, I move to strike the last word.

I rise in support of the Weiner/McCotter amendment and really urge all of my colleagues to join them in this important issue. Their amendment would merely add $19 million to the Animal and Plant Health Inspection Service and raise it to the level that the President put in his own budget.

This would attack all types of invasive species, including the sudden oak death, the glassy-winged sharpshooter; but I would like to focus on this terrible Asian long-horn beetle, which has had a devastating economic and environmental impact in New York State. The Asian long-horn beetle was first discovered in 1995 in Green Point, Brooklyn, in the district that I represent.

We had to cut down every single tree in one of our beautiful parks in Brooklyn, and really cut down trees in a whole section of Brooklyn in an attempt to contain this terrible invasive species, which we do not know how to get rid of. The one approach that we have now is once you discover it, you have to literally chop down the tree, cut it into small pieces and burn it.

That is the only way they know how to get rid of this terrible bug. Regrettably, the Asian long-horn beetle moved into Queens and into Manhattan. There was a tremendous effort from the city, State and Federal Government to contain it, to keep it out of Central Park, which is many people's favorite spot in New York; yet, regrettably, 2 months ago, the beetle was spotted in Central Park.

We have had to chop down over 4,000 trees in New York City in our attempts to contain this invasive species.

□ 1330

We need to contain it in New York City. If it moves into upper New York and to the Northeast, it could destroy literally all of the trees; and it is a problem that really all of us should be concerned about. Believe me, my colleagues do not want this invasive species in their State. Work with us in supporting this amendment to contain it and other invasive species that are found in our country.

Our amendment merely raises the amount to the amount that President Bush put in the budget, and it is an investment in the economy and the environment of our State. I urge my colleagues to support the Weiner-McCotter amendment.

Ms. DELAURO. Madam Chairman, I move to strike the requisite number of words.

Madam Chairman, I rise in support of this amendment. Unfortunately, plant diseases are continuously emerging; and they can threaten not only our agriculture but our environment and our public health. I think that in Connecticut, for instance, I will talk about sudden oak death, which has been identified recently. We are looking at potentially massive deforestation, and we are working hard at the New Haven Experiment Station to cooperate on research on the plant disease before our forests of Connecticut are heavily impacted.

We all know the results of massive deforestation: Bad for our land conservation, bad for our environment, and it contributes to the lowering of, the actual lowering of our air quality.

Mr. Chairman, I urge a ''yes'' vote on this amendment.

Mr. LEVIN. Mr. Chairman, I urge my colleagues to support the Weiner/McCotter amendment. We need to boost federal funding to fight the invasive species that are destroying native trees across the United States.

This amendment would provide an additional $19 million to help fight invasive species like the Asian longhorn beetle, the emerald ash borer, and the boll weevil. If you've never heard of these insects, or have never lost a tree in your district to these invaders, count yourself lucky. The emerald ash borer has been simply devastating to ash trees in my district in Southeast Michigan. The borer is native to China and was only discovered in the United States in 2002, but already it has killed more than 7 million ash trees. The emerald ash borer arrived in North America years earlier, so we have a huge job on our hands to contain this insect and stop its spread.

I can't overemphasize how destructive this small green insect is. Once it gets underneath the bark of an ash tree, the borer will kill the tree within a couple years. All species of ash trees are vulnerable. It is sobering to see so many beautiful trees that have stood in neighborhoods for decades become sick and die. It is also extremely costly to homeowners and communities to remove the ash trees and replace them.

By working quickly, we've managed to significantly slow the spread of the emerald ash borer, but people need to understand that every ash tree in the country is at risk if we don't contain this insect now. So far, the infestation has been limited to Michigan, Ohio, Indiana and Ontario. To give you some idea of the dimension of the threat, there are 750 million ash trees in Michigan alone, and 7.5 billion ash trees nationwide. We need to make additional resources available now to fight the emerald ash borer, or there will be a much higher price to pay down the road.

I urge the House to support the amendment.

The Acting CHAIRMAN (Mrs. CAPITO). The question is on the amendment offered by the gentleman from New York (Mr. WEINER).

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

Mr. WEINER. Madam Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York (Mr. WEINER) will be postponed.

The Clerk will read.

The Clerk read as follows:

OFFICE OF THE CHIEF FINANCIAL OFFICER

For necessary expenses of the Office of the Chief Financial Officer, $5,874,000: *Provided*, That the Chief Financial Officer shall actively market and expand cross-servicing activities of the National Finance Center: *Provided further*, That no funds made available by this appropriation may be obligated for FAIR Act or Circular A–76 activities until the Secretary has submitted to the Committees on Appropriations of both Houses of Congress and the Committee on Government Reform of the House of Representatives a report on the Department's contracting out policies, including agency budgets for contracting out.

OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL RIGHTS

For necessary salaries and expenses of the Office of the Assistant Secretary for Civil Rights, $811,000.

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, $20,109,000.

OFFICE OF THE ASSISTANT SECRETARY FOR ADMINISTRATION

For necessary salaries and expenses of the Office of the Assistant Secretary for Administration, $676,000.

AGRICULTURE BUILDINGS AND FACILITIES AND RENTAL PAYMENTS

(INCLUDING TRANSFERS OF FUNDS)

For payment of space rental and related costs pursuant to Public Law 92–313, including authorities pursuant to the 1984 delegation of authority from the Administrator of General Services to the Department of Agriculture under 40 U.S.C. 486, for programs and activities of the Department which are included in this Act, and for alterations and other actions needed for the Department and its agencies to consolidate unneeded space into configurations suitable for release to the Administrator of General Services, and for the operation, maintenance, improvement, and repair of Agriculture buildings and facilities, and for related costs, $183,133,000, to remain available until expended, as follows: for payments to the General Services Administration and the Department of Homeland Security for building security, $147,734,000, and for buildings operations and maintenance, $35,399,000: *Provided*, That amounts which are made available for space rental and related costs for the Department of Agriculture in this Act may be transferred between such appropriations to cover the costs of additional, new, or replacement space 15 days after notice thereof is transmitted to the Appropriations Committees of both Houses of Congress.

AMENDMENT OFFERED BY MR. PLATTS

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

The Clerk read as follows:

Amendment offered by Mr. PLATTS:

Page 5, line 8, after the dollar amount insert the following: ''(reduced by $2,650,000)''.

Page 5, line 13, after the dollar amount insert the following: ''(reduced by $2,650,000)''.

Page 18, line 12, after the dollar amount insert the following: ''(increased by $1,227,000)''.

Mr. PLATTS. Madam Chairman, this amendment I offer would increase funding for the Animal and Plant Health Inspection Service, APHIS, by $1.227 million for the purpose of eradicating plum pox disease. This funding effort would allow for the total amount of funding for this program at APHIS to be $3.443 million, the same level that was appropriated in fiscal year 2005.

The amendment I offer is important to the fruit growers both in Pennsylvania and across our Nation. It would help to bring an end to the most significant and destructive virus that affects our stone fruit grower, plum pox. The virus is extremely damaging to fruit production. The plum pox virus is capable of causing disease in fruits such as peaches, plums, apricots, nectarines, sweet and sour cherries. Tree yields can be severely affected. Some reports claim 80 to 100 percent premature fruit drop in some plum varieties. Infected fruit may be unsightly and difficult to sell as table fruit. Export of fruit is difficult; export of budwood and nursery stock is next to impossible.

With the discovery of plum pox virus in Pennsylvania in September of 1999, a survey and eradication program was put in place. Through 5 years of survey, research and control action, the program has been successful in both containing and almost completely eradicating the virus. In fact, in 2004, for the first time no plum pox virus was found outside of existing quarantine areas. Three years of negative data in several of these quarantine areas allowed the rescinding of those quarantines. After 5 years of testing, no plum pox virus has been found in the United States outside the remaining quarantine zone in Pennsylvania.

Although we have made considerable progress, the virus is still present. As evidence of the virus' persistence, on June 3 of this year, last week, the Pennsylvania Secretary of Agriculture announced the discovery of plum pox virus in Adams County once again. Both the Pennsylvania Department of Agriculture and the United States Department of Agriculture are currently following the standard procedures to survey and quarantine the area in question.

Level fund for the plum pox virus program at APHIS will likely eradicate this virus from both Pennsylvania and the United States, thereby being a smart Federal investment. Without adequate funding, the plum pox virus program will not be able to complete an appropriate survey and the associated procedures, which in turn will leave questions about the status of the virus. Eradication of the virus may not be completed and the possibility of virus spreading beyond the quarantine area will be left open.

Complete eradication of the plum pox virus, on the other hand, will allow U.S. stone fruits and nursery industries to continue operating without further impairment by this virus menace.

Level funding, as this amendment proposes, is critical to helping to eradicate this devastating disease once and for all.

Mr. WEINER. Madam Chairman, I move to strike the last word.

Madam Chairman, I commend the gentleman for acknowledging what I think we all should in the last amendment, that we are not giving funding, sufficient funding to this APHIS account.

Now the gentleman's amendment does not speak to plum pox because that would be legislating, so I would encourage the gentleman to support my amendment which we just voted on here because it would permit plum pox. That was one of the many pests on the list that would be increased in that case.

But I commend the gentleman. He is exactly right. Just like in the gentleman's district, in the gentleman's State, just like in New York, just like in Louisiana with imported fire ants, just like in Texas with the Mexican fruit fly, just like in California with the Mediterranean fruit fly, this is an underfunded area. We will never get it what they probably should ultimately get, but at least we should give them a little more, and I think the gentleman is exactly right.

Plum pox, Asian long horn beetle, this is another reason why I hope all of my colleagues will support the amendment that we just voted down and will be having a recorded vote on later.

Mr. BONILLA. Madam Chairman, I rise in opposition the gentleman's amendment.

This is a very important issue, and we tried our best to fund it at the appropriate level. I have had discussions with the gentleman about trying to work with him as we move to conference to attempt to increase this line item somewhat, to address the problem that the gentleman is addressing in a very sincere way here today.

Mr. PLATTS. Madam Chairman, will the gentleman yield?

Mr. BONILLA. I yield to the gentleman from Pennsylvania.

Mr. PLATTS. Mr. Chairman, I certainly appreciate the difficult fiscal times we are in. The gentleman and his staff have done a great job of trying to balance all the concerns, and certainly I appreciate the gentleman's efforts and his staff's efforts to address this specific concern. I look forward to working with the gentleman as we go to conference with the Senate. In light of that effort, when we get to conference, I will be glad withdraw the amendment at the time and work with the gentleman and his staff in the months to come.

Mr. BONILLA. I thank the gentleman.

Mr. PLATTS. Madam Chairman, I ask unanimous consent to withdraw my amendment.

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

Mr. WEINER. Madam Chairman, reserving the right to object, I would ask the author of the amendment that would increase by $1 million, does he intend to support the amendment that was just passed that would increase the account that he wants to solve the problem in by $19 million?

Mr. PLATTS. Madam Chairman, will the gentleman yield?

Mr. WEINER. I yield to the gentleman from Pennsylvania.

Mr. PLATTS. I will be glad to take a more in-depth look at that amendment. I think we all have a shared purpose, but we will look at the specifics of the amendment.

Mr. WEINER. Madam Chairman, I withdraw my reservation of objection.

The Acting CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

The Clerk will read.

The Clerk read as follows:

HAZARDOUS MATERIALS MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Department of Agriculture, to comply with the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 et seq.) and the Resource Conservation and Recovery Act (42 U.S.C. 6901 et seq.), $15,644,000, to remain available until expended: *Provided*, That appropriations and funds available herein to the Department for Hazardous Materials Management may be transferred to any agency of the Department for its use in meeting all requirements pursuant to the above Acts on Federal and non-Federal lands.

DEPARTMENTAL ADMINISTRATION

(INCLUDING TRANSFERS OF FUNDS)

For Departmental Administration, $23,103,000, to provide for necessary expenses for management support services to offices of the Department and for general administration, security, repairs and alterations, and other miscellaneous supplies and expenses not otherwise provided for and necessary for the practical and efficient work of the Department: *Provided*, That this appropriation shall be reimbursed from applicable appropriations in this Act for travel expenses incident to the holding of hearings as required by 5 U.S.C. 551–558.

OFFICE OF THE ASSISTANT SECRETARY FOR CONGRESSIONAL RELATIONS

(INCLUDING TRANSFERS OF FUNDS)

For necessary salaries and expenses of the Office of the Assistant Secretary for Congressional Relations to carry out the programs funded by this Act, including programs involving intergovernmental affairs and liaison within the executive branch, $3,821,000: *Provided*, That these funds may be transferred to agencies of the Department of Agriculture funded by this Act to maintain personnel at the agency level: *Provided further*, That no funds made available by this appropriation may be obligated after 30 days from the date of enactment of this Act, unless the Secretary has notified the Committees on Appropriations of both Houses of Congress on the allocation of these funds by USDA agency: *Provided further*, That no

other funds appropriated to the Department by this Act shall be available to the Department for support of activities of congressional relations.

OFFICE OF COMMUNICATIONS

For necessary expenses to carry out services relating to the coordination of programs involving public affairs, for the dissemination of agricultural information, and the coordination of information, work, and programs authorized by Congress in the Department, $9,509,000: *Provided*, That not to exceed $2,000,000 may be used for farmers' bulletins.

OFFICE OF THE INSPECTOR GENERAL

For necessary expenses of the Office of the Inspector General, including employment pursuant to the Inspector General Act of 1978, $79,626,000, including such sums as may be necessary for contracting and other arrangements with public agencies and private persons pursuant to section 6(a)(9) of the Inspector General Act of 1978, and including not to exceed $125,000 for certain confidential operational expenses, including the payment of informants, to be expended under the direction of the Inspector General pursuant to Public Law 95–452 and section 1337 of Public Law 97–98.

OFFICE OF THE GENERAL COUNSEL

For necessary expenses of the Office of the General Counsel, $38,439,000.

OFFICE OF THE UNDER SECRETARY FOR RESEARCH, EDUCATION AND ECONOMICS

For necessary salaries and expenses of the Office of the Under Secretary for Research, Education and Economics to administer the laws enacted by the Congress for the Economic Research Service, the National Agricultural Statistics Service, the Agricultural Research Service, and the Cooperative State Research, Education, and Extension Service, $598,000.

ECONOMIC RESEARCH SERVICE

For necessary expenses of the Economic Research Service in conducting economic research and analysis, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1621–1627) and other laws, $75,931,000.

NATIONAL AGRICULTURAL STATISTICS SERVICE

For necessary expenses of the National Agricultural Statistics Service in conducting statistical reporting and service work, including crop and livestock estimates, statistical coordination and improvements, marketing surveys, and the Census of Agriculture, as authorized by 7 U.S.C. 1621–1627 and 2204g, and other laws, $136,241,000, of which up to $29,115,000 shall be available until expended for the Census of Agriculture.

AGRICULTURAL RESEARCH SERVICE

SALARIES AND EXPENSES

For necessary expenses to enable the Agricultural Research Service to perform agricultural research and demonstration relating to production, utilization, marketing, and distribution (not otherwise provided for); home economics or nutrition and consumer use including the acquisition, preservation, and dissemination of agricultural information; and for acquisition of lands by donation, exchange, or purchase at a nominal cost not to exceed $100, and for land exchanges where the lands exchanged shall be of equal value or shall be equalized by a payment of money to the grantor which shall not exceed 25 percent of the total value of the land or interests transferred out of Federal ownership, $1,035,475,000: *Provided*, That appropriations hereunder shall be available for the operation and maintenance of aircraft and the purchase of not to exceed one for replacement only: *Provided further*, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for the construction, alteration, and repair of buildings and improvements, but unless otherwise provided, the cost of constructing any one building shall not exceed $375,000, except for headhouses or greenhouses which shall each be limited to $1,200,000, and except for 10 buildings to be constructed or improved at a cost not to exceed $750,000 each, and the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building or $375,000, whichever is greater: *Provided further*, That the limitations on alterations contained in this Act shall not apply to modernization or replacement of existing facilities at Beltsville, Maryland: *Provided further*, That appropriations hereunder shall be available for granting easements at the Beltsville Agricultural Research Center: *Provided further*, That the foregoing limitations shall not apply to replacement of buildings needed to carry out the Act of April 24, 1948 (21 U.S.C. 113a): *Provided further*, That funds may be received from any State, other political sub-division, organization, or individual for the purpose of establishing or operating any research facility or research project of the Agricultural Research Service, as authorized by law: *Provided further*, That the Secretary, through the Agricultural Research Service, or successor, is authorized to lease approximately 40 acres of land at the Central Plains Experiment Station, Nunn, Colorado, to the Board of Governors of the Colorado State University System, for its Shortgrass Steppe Biological Field Station, on such terms and conditions as the Secretary deems in the public interest: *Provided further*, That the Secretary understands that it is the intent of the University to construct research and educational buildings on the subject acreage and to conduct agricultural research and educational activities in these buildings: *Provided further*, That as consideration for a lease, the Secretary may accept the benefits of mutual cooperative research to be conducted by the Colorado State University and the Government at the Shortgrass Steppe Biological Field Station: *Provided further*, That the term of any lease shall be for no more than 20 years, but a lease may be renewed at the option of the Secretary on such terms and conditions as the Secretary deems in the public interest.

None of the funds appropriated under this heading shall be available to carry out research related to the production, processing, or marketing of tobacco or tobacco products.

BUILDINGS AND FACILITIES

For acquisition of land, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities as necessary to carry out the agricultural research programs of the Department of Agriculture, where not otherwise provided, $87,300,000, to remain available until expended.

COOPERATIVE STATE RESEARCH, EDUCATION, AND EXTENSION SERVICE

RESEARCH AND EDUCATION ACTIVITIES

For payments to agricultural experiment stations, for cooperative forestry and other research, for facilities, and for other expenses, $661,691,000, as follows: to carry out the provisions of the Hatch Act of 1887 (7 U.S.C. 361a–i), $178,807,000; for grants for cooperative forestry research (16 U.S.C. 582a through a–7), $22,255,000; for payments to the 1890 land-grant colleges, including Tuskegee University and West Virginia State University (7 U.S.C. 3222), $37,704,000, of which $1,507,496 shall be made available only for the purpose of ensuring that each institution shall receive no less than $1,000,000; for special grants for agricultural research (7 U.S.C. 450i(c)), $92,064,000; for special grants for agricultural research on improved pest control (7 U.S.C. 450i(c)), $15,038,000; for competitive research grants (7 U.S.C. 450i(b)), $214,634,000; for the support of animal health and disease programs (7 U.S.C. 3195), $5,057,000; for supplemental and alternative crops and products (7 U.S.C. 3319d), $1,187,000; for grants for research pursuant to the Critical Agricultural Materials Act (7 U.S.C. 178 et seq.), $1,102,000, to remain available until expended; for the 1994 research grants program for 1994 institutions pursuant to section 536 of Public Law 103–382 (7 U.S.C. 301 note), $1,000,000, to remain available until expended; for rangeland research grants (7 U.S.C. 3333), $1,000,000; for higher education graduate fellowship grants (7 U.S.C. 3152(b)(6)), $4,500,000, to remain available until expended (7 U.S.C. 2209b); for higher education challenge grants (7 U.S.C. 3152(b)(1)), $5,500,000; for a higher education multicultural scholars program (7 U.S.C. 3152(b)(5)), $998,000, to remain available until expended (7 U.S.C. 2209b); for an education grants program for Hispanic-serving Institutions (7 U.S.C. 3241), $5,645,000; for noncompetitive grants for the purpose of carrying out all provisions of 7 U.S.C. 3242 (section 759 of Public Law 106–78) to individual eligible institutions or consortia of eligible institutions in Alaska and in Hawaii, with funds awarded equally to each of the States of Alaska and Hawaii, $2,997,000; for a secondary agriculture education program and 2-year post-secondary education (7 U.S.C. 3152(j)), $1,000,000; for aquaculture grants (7 U.S.C. 3322), $3,968,000; for sustainable agriculture research and education (7 U.S.C. 5811), $12,400,000; for a program of capacity building grants (7 U.S.C. 3152(b)(4)) to colleges eligible to receive funds under the Act of August 30, 1890 (7 U.S.C. 321–326 and 328), including Tuskegee University and West Virginia State University, $12,312,000, to remain available until expended (7 U.S.C. 2209b); for payments to the 1994 Institutions pursuant to section 534(a)(1) of Public Law 103–382, $2,250,000; for resident instruction grants for insular areas under section 1491 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3363), $500,000; and for necessary expenses of Research and Education Activities, $39,773,000, of which $2,750,000 for the Research, Education, and Economics Information System and $2,173,000 for the Electronic Grants Information System, are to remain available until expended.

None of the funds appropriated under this heading shall be available to carry out research related to the production, processing, or marketing of tobacco or tobacco products: *Provided*, That this paragraph shall not apply to research on the medical, biotechnological, food, and industrial uses of tobacco.

NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

For the Native American Institutions Endowment Fund authorized by Public Law 103–382 (7 U.S.C. 301 note), $12,000,000, to remain available until expended.

EXTENSION ACTIVITIES

For payments to States, the District of Columbia, Puerto Rico, Guam, the Virgin Islands, Micronesia, Northern Marianas, and American Samoa, $444,871,000, as follows: payments for cooperative extension work under the Smith-Lever Act, to be distributed under sections 3(b) and 3(c) of said Act, and under section 208(c) of Public Law 93–471, for retirement and employees' compensation costs for extension agents, $275,940,000; payments for extension work at the 1994 Institutions under the Smith-Lever Act (7 U.S.C. 343(b)(3)), $3,273,000; payments for the nutrition and family education program for low-income areas under section 3(d) of the Act,

$62,409,000; payments for the pest management program under section 3(d) of the Act, $10,000,000; payments for the farm safety program under section 3(d) of the Act, $4,563,000; payments for New Technologies for Ag Extension under section 3(d) of the Act, $1,000,000; payments to upgrade research, extension, and teaching facilities at the 1890 land-grant colleges, including Tuskegee University and West Virginia State University, as authorized by section 1447 of Public Law 95–113 (7 U.S.C. 3222b), $16,777,000, to remain available until expended; payments for youth-at-risk programs under section 3(d) of the Smith-Lever Act, $7,978,000; for youth farm safety education and certification extension grants, to be awarded competitively under section 3(d) of the Act, $444,000; payments for carrying out the provisions of the Renewable Resources Extension Act of 1978 (16 U.S.C. 1671 et seq.), $4,060,000; payments for Indian reservation agents under section 3(d) of the Smith-Lever Act, $1,996,000; payments for sustainable agriculture programs under section 3(d) of the Act, $4,067,000; payments for rural health and safety education as authorized by section 502(i) of Public Law 92–419 (7 U.S.C. 2662(i)), $1,965,000; payments for cooperative extension work by the colleges receiving the benefits of the second Morrill Act (7 U.S.C. 321–326 and 328) and Tuskegee University and West Virginia State University, $33,868,000, of which $1,724,884 shall be made available only for the purpose of ensuring that each institution shall receive no less than $1,000,000; and for necessary expenses of Extension Activities, $16,531,000.

INTEGRATED ACTIVITIES

For the integrated research, education, and extension grants programs, including necessary administrative expenses, $15,513,000, as follows: for a competitive international science and education grants program authorized under section 1459A of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3292b), to remain available until expended, $1,000,000; for grants programs authorized under section 2(c)(1)(B) of Public Law 89–106, as amended, $1,000,000, to remain available until September 30, 2007 for the critical issues program, and $1,513,000 for the regional rural development centers program; and $12,000,000 for the Food and Agriculture Defense Initiative authorized under section 1484 of the National Agricultural Research, Extension, and Teaching Act of 1977, to remain available until September 30, 2007.

OUTREACH FOR SOCIALLY DISADVANTAGED FARMERS

For grants and contracts pursuant to section 2501 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279), $5,935,000, to remain available until expended.

OFFICE OF THE UNDER SECRETARY FOR MARKETING AND REGULATORY PROGRAMS

For necessary salaries and expenses of the Office of the Under Secretary for Marketing and Regulatory Programs to administer programs under the laws enacted by the Congress for the Animal and Plant Health Inspection Service; the Agricultural Marketing Service; and the Grain Inspection, Packers and Stockyards Administration; $724,000.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For expenses, not otherwise provided for, necessary to prevent, control, and eradicate pests and plant and animal diseases; to carry out inspection, quarantine, and regulatory activities; and to protect the environment, as authorized by law, $823,635,000, of which $4,140,000 shall be available for the control of outbreaks of insects, plant diseases, animal diseases and for control of pest animals and birds to the extent necessary to meet emergency conditions; of which $38,634,000 shall be used for the boll weevil eradication program for cost share purposes or for debt retirement for active eradication zones; of which $33,340,000 shall be available for a National Animal Identification program: *Provided*, That no funds shall be used to formulate or administer a brucellosis eradication program for the current fiscal year that does not require minimum matching by the States of at least 40 percent: *Provided further*, That this appropriation shall be available for the operation and maintenance of aircraft and the purchase of not to exceed four, of which two shall be for replacement only: *Provided further*, That, in addition, in emergencies which threaten any segment of the agricultural production industry of this country, the Secretary may transfer from other appropriations or funds available to the agencies or corporations of the Department such sums as may be deemed necessary, to be available only in such emergencies for the arrest and eradication of contagious or infectious disease or pests of animals, poultry, or plants, and for expenses in accordance with sections 10411 and 10417 of the Animal Health Protection Act (7 U.S.C. 8310 and 8316) and sections 431 and 442 of the Plant Protection Act (7 U.S.C. 7751 and 7772), and any unexpended balances of funds transferred for such emergency purposes in the preceding fiscal year shall be merged with such transferred amounts: *Provided further*, That appropriations hereunder shall be available pursuant to law (7 U.S.C. 2250) for the repair and alteration of leased buildings and improvements, but unless otherwise provided the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building:

In fiscal year 2006, the agency is authorized to collect fees to cover the total costs of providing technical assistance, goods, or services requested by States, other political subdivisions, domestic and international organizations, foreign governments, or individuals, provided that such fees are structured such that any entity's liability for such fees is reasonably based on the technical assistance, goods, or services provided to the entity by the agency, and such fees shall be credited to this account, to remain available until expended, without further appropriation, for providing such assistance, goods, or services.

BUILDINGS AND FACILITIES

For plans, construction, repair, preventive maintenance, environmental support, improvement, extension, alteration, and purchase of fixed equipment or facilities, as authorized by 7 U.S.C. 2250, and acquisition of land as authorized by 7 U.S.C. 428a, $4,996,000, to remain available until expended.

AGRICULTURAL MARKETING SERVICE

MARKETING SERVICES

For necessary expenses to carry out services related to consumer protection, agricultural marketing and distribution, transportation, and regulatory programs, as authorized by law, and for administration and coordination of payments to States, $78,032,000, including funds for the wholesale market development program for the design and development of wholesale and farmer market facilities for the major metropolitan areas of the country: *Provided*, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

Fees may be collected for the cost of standardization activities, as established by regulation pursuant to law (31 U.S.C. 9701).

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed $65,667,000 (from fees collected) shall be obligated during the current fiscal year for administrative expenses: *Provided*, That if crop size is understated and/or other uncontrollable events occur, the agency may exceed this limitation by up to 10 percent with notification to the Committees on Appropriations of both Houses of Congress.

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

(INCLUDING TRANSFERS OF FUNDS)

Funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), shall be used only for commodity program expenses as authorized therein, and other related operating expenses, except for: (1) transfers to the Department of Commerce as authorized by the Fish and Wildlife Act of August 8, 1956; (2) transfers otherwise provided in this Act; and (3) not more than $16,055,000 for formulation and administration of marketing agreements and orders pursuant to the Agricultural Marketing Agreement Act of 1937 and the Agricultural Act of 1961.

PAYMENTS TO STATES AND POSSESSIONS

For payments to departments of agriculture, bureaus and departments of markets, and similar agencies for marketing activities under section 204(b) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1623(b)), $1,347,000.

GRAIN INSPECTION, PACKERS AND STOCKYARDS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of the United States Grain Standards Act, for the administration of the Packers and Stockyards Act, for certifying procedures used to protect purchasers of farm products, and the standardization activities related to grain under the Agricultural Marketing Act of 1946, $38,400,000: *Provided*, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

LIMITATION ON INSPECTION AND WEIGHING SERVICES EXPENSES

Not to exceed $42,463,000 (from fees collected) shall be obligated during the current fiscal year for inspection and weighing services: *Provided*, That if grain export activities require additional supervision and oversight, or other uncontrollable factors occur, this limitation may be exceeded by up to 10 percent with notification to the Committees on Appropriations of both Houses of Congress.

OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

For necessary salaries and expenses of the Office of the Under Secretary for Food Safety to administer the laws enacted by the Congress for the Food Safety and Inspection Service, $590,000.

FOOD SAFETY AND INSPECTION SERVICE

SALARIES AND EXPENSES

For necessary expenses to carry out services authorized by the Federal Meat Inspection Act, the Poultry Products Inspection Act, and the Egg Products Inspection Act, including not to exceed $50,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), $837,264,000, of which no less than $756,152,000 shall be available for

Federal food safety inspection; and in addition, $1,000,000 may be credited to this account from fees collected for the cost of laboratory accreditation as authorized by section 1327 of the Food, Agriculture, Conservation and Trade Act of 1990 (7 U.S.C. 138f): *Provided,* That of the total amount made available under this heading, no less than $20,653,000 shall be obligated for regulatory and scientific training: *Provided further*, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

OFFICE OF THE UNDER SECRETARY FOR FARM AND FOREIGN AGRICULTURAL SERVICES

For necessary salaries and expenses of the Office of the Under Secretary for Farm and Foreign Agricultural Services to administer the laws enacted by Congress for the Farm Service Agency, the Foreign Agricultural Service, the Risk Management Agency, and the Commodity Credit Corporation, $635,000.

FARM SERVICE AGENCY

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for carrying out the administration and implementation of programs administered by the Farm Service Agency, $1,023,738,000: *Provided,* That the Secretary is authorized to use the services, facilities, and authorities (but not the funds) of the Commodity Credit Corporation to make program payments for all programs administered by the Agency: *Provided further*, That other funds made available to the Agency for authorized activities may be advanced to and merged with this account.

STATE MEDIATION GRANTS

For grants pursuant to section 502(b) of the Agricultural Credit Act of 1987, as amended (7 U.S.C. 5101–5106), $4,250,000.

DAIRY INDEMNITY PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses involved in making indemnity payments to dairy farmers and manufacturers of dairy products under a dairy indemnity program, $100,000, to remain available until expended: *Provided,* That such program is carried out by the Secretary in the same manner as the dairy indemnity program described in the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 106–387, 114 Stat. 1549A–12).

AGRICULTURAL CREDIT INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed farm ownership (7 U.S.C. 1922 et seq.) and operating (7 U.S.C. 1941 et seq.) loans, Indian tribe land acquisition loans (25 U.S.C. 488), and boll weevil loans (7 U.S.C. 1989), to be available from funds in the Agricultural Credit Insurance Fund, as follows: farm ownership loans, $1,600,000,000, of which $1,400,000,000 shall be for guaranteed loans and $200,000,000 shall be for direct loans; operating loans, $2,116,256,000, of which $1,200,000,000 shall be for unsubsidized guaranteed loans, $266,256,000 shall be for subsidized guaranteed loans and $650,000,000 shall be for direct loans; Indian tribe land acquisition loans, $2,020,000; and for boll weevil eradication program loans, $100,000,000: *Provided,* That the Secretary shall deem the pink bollworm to be a boll weevil for the purpose of boll weevil eradication program loans.

For the cost of direct and guaranteed loans, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, as follows: farm ownership loans, $16,960,000, of which $6,720,000 shall be for guaranteed loans, and $10,240,000 shall be for direct loans; operating loans, $134,317,000, of which $36,360,000 shall be for unsubsidized guaranteed loans, $33,282,000 shall be for subsidized guaranteed loans, and $64,675,000 shall be for direct loans; and Indian tribe land acquisition loans, $81,000.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $305,127,000, of which $297,127,000 shall be transferred to and merged with the appropriation for ''Farm Service Agency, Salaries and Expenses''.

Funds appropriated by this Act to the Agricultural Credit Insurance Program Account for farm ownership and operating direct loans and guaranteed loans may be transferred among these programs: *Provided,* That the Committees on Appropriations of both Houses of Congress are notified at least 15 days in advance of any transfer.

RISK MANAGEMENT AGENCY

ADMINISTRATIVE AND OPERATING EXPENSES

For administrative and operating expenses, as authorized by section 226A of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6933), $77,806,000: *Provided,* That not to exceed $1,000 shall be available for official reception and representation expenses, as authorized by 7 U.S.C. 1506(i).

CORPORATIONS

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

FEDERAL CROP INSURANCE CORPORATION FUND

For payments as authorized by section 516 of the Federal Crop Insurance Act (7 U.S.C. 1516), such sums as may be necessary, to remain available until expended.

COMMODITY CREDIT CORPORATION FUND

REIMBURSEMENT FOR NET REALIZED LOSSES

For the current fiscal year, such sums as may be necessary to reimburse the Commodity Credit Corporation for net realized losses sustained, but not previously reimbursed, pursuant to section 2 of the Act of August 17, 1961 (15 U.S.C. 713a–11): *Provided,* That of the funds available to the Commodity Credit Corporation under section 11 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714i) for the conduct of its business with the Foreign Agricultural Service, up to $5,000,000 may be transferred to and used by the Foreign Agricultural Service for information resource management activities of the Foreign Agricultural Service that are not related to Commodity Credit Corporation business.

HAZARDOUS WASTE MANAGEMENT

(LIMITATION ON EXPENSES)

For the current fiscal year, the Commodity Credit Corporation shall not expend more than $5,000,000 for site investigation and cleanup expenses, and operations and maintenance expenses to comply with the requirement of section 107(g) of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9607(g)), and section 6001 of the Resource Conservation and Recovery Act (42 U.S.C. 6961).

TITLE II

CONSERVATION PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR NATURAL RESOURCES AND ENVIRONMENT

For necessary salaries and expenses of the Office of the Under Secretary for Natural Resources and Environment to administer the laws enacted by the Congress for the Forest Service and the Natural Resources Conservation Service, $744,000.

NATURAL RESOURCES CONSERVATION SERVICE

CONSERVATION OPERATIONS

For necessary expenses for carrying out the provisions of the Act of April 27, 1935 (16 U.S.C. 590a–f), including preparation of conservation plans and establishment of measures to conserve soil and water (including farm irrigation and land drainage and such special measures for soil and water management as may be necessary to prevent floods and the siltation of reservoirs and to control agricultural related pollutants); operation of conservation plant materials centers; classification and mapping of soil; dissemination of information; acquisition of lands, water, and interests therein for use in the plant materials program by donation, exchange, or purchase at a nominal cost not to exceed $100 pursuant to the Act of August 3, 1956 (7 U.S.C. 428a); purchase and erection or alteration or improvement of permanent and temporary buildings; and operation and maintenance of aircraft, $793,640,000, to remain available until March 31, 2007, of which not less than $10,457,000 is for snow survey and water forecasting, and not less than $10,547,000 is for operation and establishment of the plant materials centers, and of which not less than $27,312,000 shall be for the grazing lands conservation initiative: *Provided*, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for construction and improvement of buildings and public improvements at plant materials centers, except that the cost of alterations and improvements to other buildings and other public improvements shall not exceed $250,000: *Provided further*, That when buildings or other structures are erected on non-Federal land, that the right to use such land is obtained as provided in 7 U.S.C. 2250a: *Provided further*, That this appropriation shall be available for technical assistance and related expenses to carry out programs authorized by section 202(c) of title II of the Colorado River Basin Salinity Control Act of 1974 (43 U.S.C. 1592(c)): *Provided further*, That qualified local engineers may be temporarily employed at per diem rates to perform the technical planning work of the Service.

WATERSHED SURVEYS AND PLANNING

For necessary expenses to conduct research, investigation, and surveys of watersheds of rivers and other waterways, and for small watershed investigations and planning, in accordance with the Watershed Protection and Flood Prevention Act (16 U.S.C. 1001–1009), $7,026,000.

WATERSHED AND FLOOD PREVENTION OPERATIONS

For necessary expenses to carry out preventive measures, including but not limited to research, engineering operations, methods of cultivation, the growing of vegetation, rehabilitation of existing works and changes in use of land, in accordance with the Watershed Protection and Flood Prevention Act (16 U.S.C. 1001–1005 and 1007–1009), the provisions of the Act of April 27, 1935 (16 U.S.C. 590a–f), and in accordance with the provisions of laws relating to the activities of the Department, $60,000,000, to remain available until expended; of which up to $10,000,000 may be available for the watersheds authorized under the Flood Control Act (33 U.S.C.

701 and 16 U.S.C. 1006a): *Provided*, That not to exceed $25,000,000 of this appropriation shall be available for technical assistance: *Provided further*, That not to exceed $1,000,000 of this appropriation is available to carry out the purposes of the Endangered Species Act of 1973 (Public Law 93–205), including cooperative efforts as contemplated by that Act to relocate endangered or threatened species to other suitable habitats as may be necessary to expedite project construction.

WATERSHED REHABILITATION PROGRAM

For necessary expenses to carry out rehabilitation of structural measures, in accordance with section 14 of the Watershed Protection and Flood Prevention Act (16 U.S.C. 1012), and in accordance with the provisions of laws relating to the activities of the Department, $27,000,000, to remain available until expended.

RESOURCE CONSERVATION AND DEVELOPMENT

For necessary expenses in planning and carrying out projects for resource conservation and development and for sound land use pursuant to the provisions of sections 31 and 32 of the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1010–1011; 76 Stat. 607); the Act of April 27, 1935 (16 U.S.C. 590a–f); and subtitle H of title XV of the Agriculture and Food Act of 1981 (16 U.S.C. 3451–3461), $51,360,000, to remain available until expended: *Provided*, That the Secretary shall enter into a cooperative or contribution agreement, within 45 days of enactment of this Act, with a national association regarding a Resource Conservation and Development program and such agreement shall contain the same matching, contribution requirements, and funding level, set forth in a similar cooperative or contribution agreement with a national association in fiscal year 2002: *Provided further*, That not to exceed $3,411,000 shall be available for national headquarters activities.

TITLE III

RURAL DEVELOPMENT PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR RURAL DEVELOPMENT

For necessary salaries and expenses of the Office of the Under Secretary for Rural Development to administer programs under the laws enacted by the Congress for the Rural Housing Service, the Rural Business-Cooperative Service, and the Rural Utilities Service of the Department of Agriculture, $627,000.

RURAL COMMUNITY ADVANCEMENT PROGRAM

(INCLUDING TRANSFERS OF FUNDS)

For the cost of direct loans, loan guarantees, and grants, as authorized by 7 U.S.C. 1926, 1926a, 1926c, 1926d, and 1932, except for sections 381E–H and 381N of the Consolidated Farm and Rural Development Act, $657,389,000, to remain available until expended, of which $38,006,000 shall be for rural community programs described in section 381E(d)(1) of such Act; of which $531,162,000 shall be for the rural utilities programs described in sections 381E(d)(2), 306C(a)(2), and 306D of such Act, of which not to exceed $500,000 shall be available for the rural utilities program described in section 306(a)(2)(B) of such Act, and of which not to exceed $1,000,000 shall be available for the rural utilities program described in section 306E of such Act; and of which $88,221,000 shall be for the rural business and cooperative development programs described in sections 381E(d)(3) and 310B(f) of such Act: *Provided*, That of the total amount appropriated in this account, $24,000,000 shall be for loans and grants to benefit Federally Recognized Native American Tribes, including grants for drinking water and waste disposal systems pursuant to section 306C of such Act, of which $4,000,000 shall be available for community facilities grants to tribal colleges, as authorized by section 306(a)(19) of the Consolidated Farm and Rural Development Act, and of which $250,000 shall be available for a grant to a qualified national organization to provide technical assistance for rural transportation in order to promote economic development: *Provided further*, That of the amount appropriated for rural community programs, $6,200,000 shall be available for a Rural Community Development Initiative: *Provided further*, That such funds shall be used solely to develop the capacity and ability of private, nonprofit community-based housing and community development organizations, low-income rural communities, and Federally Recognized Native American Tribes to undertake projects to improve housing, community facilities, community and economic development projects in rural areas: *Provided further*, That such funds shall be made available to qualified private, nonprofit and public intermediary organizations proposing to carry out a program of financial and technical assistance: *Provided further*, That such intermediary organizations shall provide matching funds from other sources, including Federal funds for related activities, in an amount not less than funds provided: *Provided further*, That of the amount appropriated for the rural business and cooperative development programs, not to exceed $500,000 shall be made available for a grant to a qualified national organization to provide technical assistance for rural transportation in order to promote economic development; $1,000,000 shall be for grants to the Delta Regional Authority (7 U.S.C. 1921 et seq.) for any purpose under this heading: *Provided further*, That of the amount appropriated for rural utilities programs, not to exceed $25,000,000 shall be for water and waste disposal systems to benefit the Colonias along the United States/Mexico border, including grants pursuant to section 306C of such Act; not to exceed $17,500,000 shall be for technical assistance grants for rural water and waste systems pursuant to section 306(a)(14) of such Act, unless the Secretary makes a determination of extreme need, of which $5,600,000 shall be for Rural Community Assistance Programs; and not to exceed $14,000,000 shall be for contracting with qualified national organizations for a circuit rider program to provide technical assistance for rural water systems: *Provided further*, That of the total amount appropriated, not to exceed $21,367,000 shall be available through June 30, 2006, for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones; of which $1,067,000 shall be for the rural community programs described in section 381E(d)(1) of such Act, of which $12,000,000 shall be for the rural utilities programs described in section 381E(d)(2) of such Act, and of which $8,300,000 shall be for the rural business and cooperative development programs described in section 381E(d)(3) of such Act: *Provided further*, That any prior year balances for high cost energy grants authorized by section 19 of the Rural Electrification Act of 1936 (7 U.S.C. 901(19)) shall be transferred to and merged with the ''Rural Utilities Service, High Energy Costs Grants Account''.

RURAL DEVELOPMENT

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for carrying out the administration and implementation of programs in the Rural Development mission area, including activities with institutions concerning the development and operation of agricultural cooperatives; and for cooperative agreements; $152,623,000: *Provided*, That notwithstanding any other provision of law, funds appropriated under this section may be used for advertising and promotional activities that support the Rural Development mission area: *Provided further*, That not more than $10,000 may be expended to provide modest nonmonetary awards to non-USDA employees: *Provided further*, That any balances available from prior years for the Rural Utilities Service, Rural Housing Service, and the Rural Business-Cooperative Service salaries and expenses accounts shall be transferred to and merged with this appropriation.

RURAL HOUSING SERVICE

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by title V of the Housing Act of 1949, to be available from funds in the rural housing insurance fund, as follows: $4,821,832,000 for loans to section 502 borrowers, as determined by the Secretary, of which $1,140,799,000 shall be for direct loans, and of which $3,681,033,000 shall be for unsubsidized guaranteed loans; $35,969,000 for section 504 housing repair loans; $100,000,000 for section 515 rental housing; $100,000,000 for section 538 guaranteed multi-family housing loans; $5,000,000 for section 524 site loans; $11,500,000 for credit sales of acquired property, of which up to $1,500,000 may be for multi-family credit sales; and $5,048,000 for section 523 self-help housing land development loans.

For the cost of direct and guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, as follows: section 502 loans, $170,837,000, of which $129,937,000 shall be for direct loans, and of which $40,900,000, to remain available until expended, shall be for unsubsidized guaranteed loans; section 504 housing repair loans, $10,521,000; section 515 rental housing, $45,880,000; section 538 multi-family housing guaranteed loans, $5,420,000; multi-family credit sales of acquired property, $681,000; and section 523 self-help housing and development loans, $52,000: *Provided*, That of the total amount appropriated in this paragraph, $2,500,000 shall be available through June 30, 2006, for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $455,242,000, which shall be transferred to and merged with the appropriation for ''Rural Development, Salaries and Expenses''.

RENTAL ASSISTANCE PROGRAM

For rental assistance agreements entered into or renewed pursuant to the authority under section 521(a)(2) or agreements entered into in lieu of debt forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Housing Act of 1949, $650,026,000; and, in addition, such sums as may be necessary, as authorized by section 521(c) of the Act, to liquidate debt incurred prior to fiscal year 1992 to carry out the rental assistance program under section 521(a)(2) of the Act: *Provided*, That of this amount, $5,900,000 shall be available for debt forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Act, and not to exceed $20,000 per project for advances to non-profit organizations or public agencies to cover direct costs (other than purchase price) incurred in purchasing projects pursuant to section 502(c)(5)(C) of the Act: *Provided further*, That agreements

entered into or renewed during the current fiscal year shall be funded for a four-year period: *Provided further*, That any unexpended balances remaining at the end of such four-year agreements may be transferred and used for the purposes of any debt reduction; maintenance, repair, or rehabilitation of any existing projects; preservation; and rental assistance activities authorized under title V of the Act.

MUTUAL AND SELF-HELP HOUSING GRANTS

For grants and contracts pursuant to section 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C. 1490c), $34,000,000, to remain available until expended: *Provided*, That of the total amount appropriated, $1,000,000 shall be available through June 30, 2006, for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

RURAL HOUSING ASSISTANCE GRANTS

For grants and contracts for very low-income housing repair, supervisory and technical assistance, compensation for construction defects, and rural housing preservation made by the Rural Housing Service, as authorized by 42 U.S.C. 1474, 1479(c), 1490e, and 1490m, $41,000,000, to remain available until expended: *Provided*, That of the total amount appropriated, $1,200,000 shall be available through June 30, 2006, for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

FARM LABOR PROGRAM ACCOUNT

For the cost of direct loans, grants, and contracts, as authorized by 42 U.S.C. 1484 and 1486, $32,728,000, to remain available until expended, for direct farm labor housing loans and domestic farm labor housing grants and contracts.

RURAL BUSINESS-COOPERATIVE SERVICE

RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the principal amount of direct loans, as authorized by the Rural Development Loan Fund (42 U.S.C. 9812(a)), $34,212,000.

For the cost of direct loans, $14,718,000, as authorized by the Rural Development Loan Fund (42 U.S.C. 9812(a)), of which $1,724,000 shall be available through June 30, 2006, for Federally Recognized Native American Tribes and of which $3,449,000 shall be available through June 30, 2006, for the Delta Regional Authority (7 U.S.C. 1921 et seq.): *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That of the total amount appropriated, $887,000 shall be available through June 30, 2006, for the cost of direct loans for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

In addition, for administrative expenses to carry out the direct loan programs, $4,719,000 shall be transferred to and merged with the appropriation for ''Rural Development, Salaries and Expenses''.

RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM ACCOUNT

(INCLUDING RESCISSION OF FUNDS)

For the principal amount of direct loans, as authorized under section 313 of the Rural Electrification Act, for the purpose of promoting rural economic development and job creation projects, $25,003,000.

For the cost of direct loans, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, $4,993,000, to remain available until expended.

Of the funds derived from interest on the cushion of credit payments in the current fiscal year, as authorized by section 313 of the Rural Electrification Act of 1936, $18,877,000 shall not be obligated and $18,877,000 are rescinded.

RURAL COOPERATIVE DEVELOPMENT GRANTS

For rural cooperative development grants authorized under section 310B(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932), $24,000,000, of which $500,000 shall be for cooperative research agreements; and of which $2,500,000 shall be for cooperative agreements for the appropriate technology transfer for rural areas program: *Provided*, That not to exceed $1,000,000 shall be for cooperatives or associations of cooperatives whose primary focus is to provide assistance to small, minority producers and whose governing board and/or membership is comprised of at least 75 percent minority; and of which not to exceed $15,500,000, to remain available until expended, shall be for value-added agricultural product market development grants, as authorized by section 6401 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1621 note).

RURAL EMPOWERMENT ZONES AND ENTERPRISE COMMUNITY GRANTS

For grants in connection with second and third rounds of empowerment zones and enterprise communities, $10,000,000, to remain available until expended, for designated rural empowerment zones and rural enterprise communities, as authorized by the Taxpayer Relief Act of 1997 and the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105–277): *Provided*, That of the funds appropriated, $1,000,000 shall be made available to third round empowerment zones, as authorized by the Community Renewal Tax Relief Act (Public Law 106–554).

RENEWABLE ENERGY PROGRAM

For the cost of a program of direct loans, loan guarantees, and grants, under the same terms and conditions as authorized by section 9006 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8106), $23,000,000 for direct and guaranteed renewable energy loans and grants: *Provided*, That the cost of direct loans and loan guarantees, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.

RURAL ELECTRIFICATION AND TELECOMMUNICATIONS LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

Insured loans pursuant to the authority of section 305 of the Rural Electrification Act of 1936 (7 U.S.C. 935) shall be made as follows: 5 percent rural electrification loans, $100,000,000; municipal rate rural electric loans, $100,000,000; loans made pursuant to section 306 of that Act, rural electric, $2,100,000,000; Treasury rate direct electric loans, $1,000,000,000; guaranteed under-writing loans pursuant to section 313A, $1,000,000,000; 5 percent rural telecommunications loans, $145,000,000; cost of money rural telecommunications loans, $424,000,000; and for loans made pursuant to section 306 of that Act, rural telecommunications loans, $125,000,000.

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, including the cost of modifying loans, of direct and guaranteed loans authorized by sections 305 and 306 of the Rural Electrification Act of 1936 (7 U.S.C. 935 and 936), as follows: cost of rural electric loans, $6,160,000, and the cost of telecommunications loans, $212,000: *Provided*, That notwithstanding section 305(d)(2) of the Rural Electrification Act of 1936, borrower interest rates may exceed 7 percent per year.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $38,907,000 which shall be transferred to and merged with the appropriation for ''Rural Development, Salaries and Expenses''.

RURAL TELEPHONE BANK PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

The Rural Telephone Bank is hereby authorized to make such expenditures, within the limits of funds available to such corporation in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as may be necessary in carrying out its authorized programs.

For administrative expenses, including audits, necessary to continue to service existing loans, $2,500,000, which shall be transferred to and merged with the appropriation for ''Rural Development, Salaries and Expenses''.

Of the unobligated balances from the Rural Telephone Bank Liquidating Account, $2,500,000 shall not be obligated and $2,500,000 are rescinded.

DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND PROGRAM

For the principal amount of direct distance learning and telemedicine loans, $50,000,000; and for the principal amount of direct broadband telecommunication loans, $463,860,000.

For the cost of direct loans and grants for telemedicine and distance learning services in rural areas, as authorized by 7 U.S.C. 950aaa et seq., $25,750,000, to remain available until expended, of which $750,000 shall be for direct loans: *Provided*, That the cost of direct loans shall be as defined in section 502 of the Congressional Budget Act of 1974.

For the cost of broadband loans, as authorized by 7 U.S.C. 901 et seq., $9,973,000, to remain available until expended: *Provided*, That the interest rate for such loans shall be the cost of borrowing to the Department of the Treasury for obligations of comparable maturity: *Provided further*, That the cost of direct loans shall be as defined in section 502 of the Congressional Budget Act of 1974.

In addition, $9,000,000, to remain available until expended, for a grant program to finance broadband transmission in rural areas eligible for Distance Learning and Telemedicine Program benefits authorized by 7 U.S.C. 950aaa.

TITLE IV

DOMESTIC FOOD PROGRAMS

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

For necessary salaries and expenses of the Office of the Under Secretary for Food, Nutrition and Consumer Services to administer the laws enacted by the Congress for the Food and Nutrition Service, $599,000.

FOOD AND NUTRITION SERVICE

CHILD NUTRITION PROGRAMS

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the National School Lunch Act (42 U.S.C. 1751 et seq.), except section 21, and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), except sections 17 and 21; $12,412,027,000, to remain available through September 30, 2007, of which $7,224,406,000 is hereby appropriated and $5,187,621,000 shall be derived by transfer from funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c): *Provided*, That none of the funds made available

under this heading shall be used for studies and evaluations: *Provided further*, That up to $5,235,000 shall be available for independent verification of school food service claims.

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

For necessary expenses to carry out the special supplemental nutrition program as authorized by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), $5,257,000,000, to remain available through September 30, 2007: *Provided*, That of the total amount available, the Secretary shall obligate not less than $15,000,000 for a breastfeeding support initiative in addition to the activities specified in section 17(h)(3)(A): *Provided further*, That only the provisions of section 17(h)(10)(B)(i) shall be effective in 2006; including $14,000,000 for the purposes specified in section 17(h)(10)(B)*(i)*: *Provided further*, That none of the funds made available under this heading shall be used for studies and evaluations: *Provided further*, That none of the funds in this Act shall be available to pay administrative expenses of WIC clinics except those that have an announced policy of prohibiting smoking within the space used to carry out the program: *Provided further*, That none of the funds provided in this account shall be available for the purchase of infant formula except in accordance with the cost containment and competitive bidding requirements specified in section 17 of such Act: *Provided further*, That on or after October 1, 2005, or the date of enactment of this act, whichever is later, any individual seeking certification or recertification for benefits under the income eligibility provisions of section 17(d)(2)(iii) of the Child Nutrition Act of 1966 shall meet such eligibility requirements only if the income, as determined under title XIX of the Social Security Act, of the individual or the family of which the individual is a member is less than 250 percent of the applicable nonfarm income poverty guideline: *Provided further*, That none of the funds provided shall be available for activities that are not fully reimbursed by other Federal Government departments or agencies unless authorized by section 17 of such Act.

FOOD STAMP PROGRAM

For necessary expenses to carry out the Food Stamp Act (7 U.S.C. 2011 et seq.), $40,711,395,000, of which $3,000,000,000 to remain available through September 30, 2007, shall be placed in reserve for use only in such amounts and at such times as may become necessary to carry out program operations: *Provided*, That none of the funds made available under this heading shall be used for studies and evaluations: *Provided further*, That funds provided herein shall be expended in accordance with section 16 of the Food Stamp Act: *Provided further*, That this appropriation shall be subject to any work registration or workfare requirements as may be required by law: *Provided further*, That funds made available for Employment and Training under this heading shall remain available until expended, as authorized by section 16(h)(1) of the Food Stamp Act: *Provided further*, That notwithstanding section 5(d) of the Food Stamp Act of 1977, any additional payment received under chapter 5 of title 37, United States Code, by a member of the United States Armed Forces deployed to a designated combat zone shall be excluded from household income for the duration of the member's deployment if the additional pay is the result of deployment to or while serving in a combat zone, and it was not received immediately prior to serving in the combat zone.

COMMODITY ASSISTANCE PROGRAM

For necessary expenses to carry out disaster assistance and the commodity supplemental food program as authorized by section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note); the Emergency Food Assistance Act of 1983; special assistance (in a form determined by the Secretary of Agriculture) for the nuclear affected islands, as authorized by section 103(f)(2) of the Compact of Free Association Amendments Act of 2003 (Public Law 108–188); and the Farmers' Market Nutrition Program, as authorized by section 17(m) of the Child Nutrition Act of 1966, $178,797,000, to remain available through September 30, 2007: *Provided*, That none of these funds shall be available to reimburse the Commodity Credit Corporation for commodities donated to the program: *Provided further*, That notwithstanding any other provision of law, effective with funds made available in fiscal year 2006 to support the Senior Farmers' Market Nutrition Program, as authorized by section 4402 of Public Law 107–171, such funds shall remain available through September 30, 2007.

NUTRITION PROGRAMS ADMINISTRATION

For necessary administrative expenses of the domestic nutrition assistance programs funded under this Act, $140,761,000.

TITLE V

FOREIGN AGRICULTURAL SERVICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Foreign Agricultural Service, including carrying out title VI of the Agricultural Act of 1954 (7 U.S.C. 1761–1768), market development activities abroad, and for enabling the Secretary to coordinate and integrate activities of the Department in connection with foreign agricultural work, including not to exceed $158,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), $148,224,000: *Provided*, That the Service may utilize advances of funds, or reimburse this appropriation for expenditures made on behalf of Federal agencies, public and private organizations and institutions under agreements executed pursuant to the agricultural food production assistance programs (7 U.S.C. 1737) and the foreign assistance programs of the United States Agency for International Development.

PUBLIC LAW 480 TITLE I DIRECT CREDIT AND FOOD FOR PROGRESS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, of agreements under the Agricultural Trade Development and Assistance Act of 1954, and the Food for Progress Act of 1985, including the cost of modifying credit arrangements under said Acts, $65,040,000, to remain available until expended: *Provided*, That the Secretary of Agriculture may implement a commodity monetization program under existing provisions of the Food for Progress Act of 1985 to provide no less than $5,000,000 in local-currency funding support for rural electrification development overseas.

□ 1345

POINT OF ORDER

Mr. GOODLATTE. Madam Chairman, I raise a point of order.

The Acting CHAIRMAN (Mrs. CAPITO). The gentleman will state his point of order.

Mr. GOODLATTE. Madam Chairman, I make a point of order to the provision in title V Public Law 480 title I Direct Credit and Food for Progress Program Account, that begins with the colon on page 54, line 4 through ''overseas'' on line 9 of H.R. 2744, the Agricultural, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes.

I make a point of order against the provision that begins with the colon on page 54, line 4 through ''overseas'' on line 9 in that it violates House rule XXI, clause 2 by changing existing law and inserting legislative language in an appropriations bill.

The Acting CHAIRMAN. Does any Member wish to be heard on the point of order? If not, the Chair will rule.

The Chair finds that this provision includes language conferring authority. The provision, therefore, constitutes legislation in violation of clause 2 of rule XXI. The point of order is sustained, and the provision is stricken from the bill.

The Acting CHAIRMAN. The Clerk will read.

The Clerk read as follows:

In addition, for administrative expenses to carry out the credit program of title I, Public Law 83–480, and the Food for Progress Act of 1985, to the extent funds appropriated for Public Law 83–480 are utilized, $3,385,000, of which $168,000 may be transferred to and merged with the appropriation for ''Foreign Agricultural Service, Salaries and Expenses'', and of which $3,217,000 may be transferred to and merged with the appropriation for ''Farm Service Agency, Salaries and Expenses''.

PUBLIC LAW 480 TITLE I OCEAN FREIGHT DIFFERENTIAL GRANTS

(INCLUDING TRANSFER OF FUNDS)

For ocean freight differential costs for the shipment of agricultural commodities under title I of the Agricultural Trade Development and Assistance Act of 1954 and under the Food for Progress Act of 1985, $11,940,000, to remain available until expended: *Provided*, That funds made available for the cost of agreements under title I of the Agricultural Trade Development and Assistance Act of 1954 and for title I ocean freight differential may be used interchangeably between the two accounts with prior notice to the Committees on Appropriations of both Houses of Congress.

PUBLIC LAW 480 TITLE II GRANTS

For expenses during the current fiscal year, not otherwise recoverable, and unrecovered prior years' costs, including interest thereon, under the Agricultural Trade Development and Assistance Act of 1954, for commodities supplied in connection with dispositions abroad under title II of said Act, $1,107,094,000, to remain available until expended.

COMMODITY CREDIT CORPORATION EXPORT LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For administrative expenses to carry out the Commodity Credit Corporation's export guarantee program, GSM 102 and GSM 103, $5,279,000; to cover common overhead expenses as permitted by section 11 of the Commodity Credit Corporation Charter Act and in conformity with the Federal Credit Reform Act of 1990, of which $3,440,000 may be transferred to and merged with the appropriation for ''Foreign Agricultural Service, Salaries and Expenses'', and of which $1,839,000 may be transferred to and merged with the appropriation for ''Farm Service Agency, Salaries and Expenses''.

MCGOVERN-DOLE INTERNATIONAL FOOD FOR EDUCATION AND CHILD NUTRITION PROGRAM GRANTS

For necessary expenses to carry out the provisions of section 3107 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1736o–1), $100,000,000, to remain available until expended: *Provided*, That the Commodity Credit Corporation is authorized to provide the services, facilities, and authorities for the purpose of implementing such section, subject to reimbursement from amounts provided herein.

TITLE VI

FOOD AND DRUG ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Food and Drug Administration, including hire and purchase of passenger motor vehicles; for payment of space rental and related costs pursuant to Public Law 92–313 for programs and activities of the Food and Drug Administration which are included in this Act; for rental of special purpose space in the District of Columbia or elsewhere; for miscellaneous and emergency expenses of enforcement activities, authorized and approved by the Secretary and to be accounted for solely on the Secretary's certificate, not to exceed $25,000; and notwithstanding section 521 of Public Law 107–188; $1,837,928,000: *Provided*, That of the amount provided under this heading, $305,332,000 shall be derived from prescription drug user fees authorized by 21 U.S.C. 379h, shall be credited to this account and remain available until expended, and shall not include any fees pursuant to 21 U.S.C. 379h(a)(2) and (a)(3) assessed for fiscal year 2007 but collected in fiscal year 2006; $40,300,000 shall be derived from medical device user fees authorized by 21 U.S.C. 379j, and shall be credited to this account and remain available until expended; and $11,318,000 shall be derived from animal drug user fees authorized by 21 U.S.C. 379j, and shall be credited to this account and remain available until expended: *Provided further*, That fees derived from prescription drug, medical device, and animal drug assessments received during fiscal year 2006, including any such fees assessed prior to the current fiscal year but credited during the current year, shall be subject to the fiscal year 2006 limitation: *Provided further*, That none of these funds shall be used to develop, establish, or operate any program of user fees authorized by 31 U.S.C. 9701: *Provided further*, That of the total amount appropriated: (1) $444,095,000 shall be for the Center for Food Safety and Applied Nutrition and related field activities in the Office of Regulatory Affairs; (2) $519,814,000 shall be for the Center for Drug Evaluation and Research and related field activities in the Office of Regulatory Affairs; (3) $178,713,000 shall be for the Center for Biologics Evaluation and Research and for related field activities in the Office of Regulatory Affairs; (4) $99,787,000 shall be for the Center for Veterinary Medicine and for related field activities in the Office of Regulatory Affairs; (5) $243,939,000 shall be for the Center for Devices and Radiological Health and for related field activities in the Office of Regulatory Affairs; (6) $41,152,000 shall be for the National Center for Toxicological Research; (7) $58,515,000 shall be for Rent and Related activities, of which $21,974,000 is for White Oak Consolidation, other than the amounts paid to the General Services Administration for rent; (8) $134,853,000 shall be for payments to the General Services Administration for rent; and (9) $117,060,000 shall be for other activities, including the Office of the Commissioner; the Office of Management; the Office of External Relations; the Office of Policy and Planning; and central services for these offices: *Provided further*, That of the funds provided herein for other activities, $5,853,000 may not be obligated until the Commissioner or Acting Commissioner has presented public testimony on the President's 2006 budget request before the Committee on Appropriations of the House of Representatives: *Provided further*, That funds may be transferred from one specified activity to another with the prior approval of the Committees on Appropriations of both Houses of Congress.

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

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

BUILDINGS AND FACILITIES

For plans, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of or used by the Food and Drug Administration, where not otherwise provided, $5,000,000 to remain available until expended.

INDEPENDENT AGENCIES

COMMODITY FUTURE TRADING COMMISSION

For necessary expenses to carry out the provisions of the Commodity Exchange Act (7 U.S.C. 1 et seq.), including the purchase and hire of passenger motor vehicles, and the rental of space (to include multiple year leases) in the District of Columbia and elsewhere, $98,386,000, including not to exceed $3,000 for official reception and representation expenses.

FARM CREDIT ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed $44,250,000 (from assessments collected from farm credit institutions and from the Federal Agricultural Mortgage Corporation) shall be obligated during the current fiscal year for administrative expenses as authorized under 12 U.S.C. 2249: *Provided*, That this limitation shall not apply to expenses associated with receiverships.

Mr. BONILLA. Mr. Chairman, I ask unanimous consent that title VII be considered as read, printed in the RECORD, and open to amendment at any point.

The Acting CHAIRMAN (Mr. FORBES). Is there objection to the request of the gentleman from Texas?

There was no objection.

The text of title VII is as follows:

TITLE VII—GENERAL PROVISIONS

(INCLUDING RESCISSION OF FUNDS)

SEC. 701. Within the unit limit of cost fixed by law, appropriations and authorizations made for the Department of Agriculture for the current fiscal year under this Act shall be available for the purchase, in addition to those specifically provided for, of not to exceed 320 passenger motor vehicles, of which 320 shall be for replacement only, and for the hire of such vehicles.

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

SEC. 703. Funds appropriated by this Act shall be available for employment pursuant to the second sentence of section 706(a) of the Department of Agriculture Organic Act of 1944 (7 U.S.C. 2225) and 5 U.S.C. 3109.

SEC. 704. New obligational authority provided for the following appropriation items in this Act shall remain available until expended: Animal and Plant Health Inspection Service, the contingency fund to meet emergency conditions, information technology infrastructure, fruit fly program, emerging plant pests, boll weevil program, up to $8,000,000 in the low pathogen avian influenza program for indemnities, up to $1,500,000 in the scrapie program for indemnities, up to $33,340,000 in animal health monitoring and surveillance for the animal identification system, up to $3,009,000 in the emergency management systems program for the vaccine bank, up to $1,000,000 of the wildlife services operations program for aviation safety, and up to 25 percent of the screwworm program; Food Safety and Inspection Service, field automation and information management project; Cooperative State Research, Education, and Extension Service, funds for competitive research grants (7 U.S.C. 450i(b)); Farm Service Agency, salaries and expenses funds made available to county committees; Foreign Agricultural Service, middle-income country training program, and up to $1,565,000 of the Foreign Agricultural Service appropriation solely for the purpose of offsetting fluctuations in international currency exchange rates, subject to documentation by the Foreign Agricultural Service.

SEC. 705. The Secretary of Agriculture may transfer unobligated balances of discretionary funds appropriated by this Act or other available unobligated discretionary balances of the Department of Agriculture to the Working Capital Fund for the acquisition of plant and capital equipment necessary for the delivery of financial, administrative, and information technology services of primary benefit to the agencies of the Department of Agriculture: *Provided*, That none of the funds made available by this Act or any other Act shall be transferred to the Working Capital Fund without the prior approval of the agency administrator: *Provided further*, That none of the funds transferred to the Working Capital Fund pursuant to this section shall be available for obligation without the prior approval of the Committees on Appropriations of both Houses of Congress.

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

SEC. 707. Not to exceed $50,000 of the appropriations available to the Department of Agriculture in this Act shall be available to provide appropriate orientation and language training pursuant to section 606C of the Act of August 28, 1954 (7 U.S.C. 1766b).

SEC. 708. No funds appropriated by this Act may be used to pay negotiated indirect cost rates on cooperative agreements or similar arrangements between the United States Department of Agriculture and nonprofit institutions in excess of 10 percent of the total direct cost of the agreement when the purpose of such cooperative arrangements is to carry out programs of mutual interest between the two parties. This does not preclude appropriate payment of indirect costs on grants and contracts with such institutions when such indirect costs are computed on a similar basis for all agencies for which appropriations are provided in this Act.

SEC. 709. None of the funds in this Act shall be available to restrict the authority of the Commodity Credit Corporation to lease space for its own use or to lease space on behalf of other agencies of the Department of Agriculture when such space will be jointly occupied.

SEC. 710. None of the funds in this Act shall be available to pay indirect costs charged against competitive agricultural research, education, or extension grant awards issued by the Cooperative State Research, Education, and Extension Service that exceed 20 percent of total Federal funds provided under each award: *Provided*, That notwithstanding

section 1462 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3310), funds provided by this Act for grants awarded competitively by the Cooperative State Research, Education, and Extension Service shall be available to pay full allowable indirect costs for each grant awarded under section 9 of the Small Business Act (15 U.S.C. 638).

SEC. 711. Notwithstanding any other provision of this Act, all loan levels provided in this Act shall be considered estimates, not limitations.

SEC. 712. Appropriations to the Department of Agriculture for the cost of direct and guaranteed loans made available in the current fiscal year shall remain available until expended to cover obligations made in the current fiscal year for the following accounts: the Rural Development Loan Fund program account, the Rural Electrification and Telecommunication Loans program account, and the Rural Housing Insurance Fund program account.

SEC. 713. Of the funds made available by this Act, not more than $1,800,000 shall be used to cover necessary expenses of activities related to all advisory committees, panels, commissions, and task forces of the Department of Agriculture, except for panels used to comply with negotiated rule makings and panels used to evaluate competitively awarded grants.

SEC. 714. None of the funds appropriated by this Act may be used to carry out section 410 of the Federal Meat Inspection Act (21 U.S.C. 679a) or section 30 of the Poultry Products Inspection Act (21 U.S.C. 471).

SEC. 715. No employee of the Department of Agriculture may be detailed or assigned from an agency or office funded by this Act to any other agency or office of the Department for more than 30 days unless the individual's employing agency or office is fully reimbursed by the receiving agency or office for the salary and expenses of the employee for the period of assignment.

SEC. 716. None of the funds appropriated or otherwise made available to the Department of Agriculture or the Food and Drug Administration shall be used to transmit or otherwise make available to any non-Department of Agriculture or non-Department of Health and Human Services employee questions or responses to questions that are a result of information requested for the appropriations hearing process.

SEC. 717. None of the funds made available to the Department of Agriculture by this Act may be used to acquire new information technology systems or significant upgrades, as determined by the Office of the Chief Information Officer, without the approval of the Chief Information Officer and the concurrence of the Executive Information Technology Investment Review Board: *Provided,* That notwithstanding any other provision of law, none of the funds appropriated or otherwise made available by this Act may be transferred to the Office of the Chief Information Officer without the prior approval of the Committees on Appropriations of both Houses of Congress: *Provided further,* That none of the funds available to the Department of Agriculture for information technology shall be obligated for projects over $25,000 prior to receipt of written approval by the Chief Information Officer.

SEC. 718. (a) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in the current fiscal year, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds which:

(1) creates new programs;

(2) eliminates a program, project, or activity;

(3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted;

(4) relocates an office or employees;

(5) reorganizes offices, programs, or activities; or

(6) contracts out or privatizes any functions or activities presently performed by Federal employees; unless the Committees on Appropriations of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

(b) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in the current fiscal year, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming of funds in excess of $500,000 or 10 percent, which-ever is less, that: (1) augments existing programs, projects, or activities; (2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or (3) results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress; unless the Committees on Appropriations of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

(c) The Secretary of Agriculture, the Secretary of Health and Human Services, or the Chairman of the Commodity Futures Trading Commission shall notify the Committees on Appropriations of both Houses of Congress before implementing a program or activity not carried out during the previous fiscal year unless the program or activity is funded by this Act or specifically funded by any other Act.

SEC. 719. With the exception of funds needed to administer and conduct oversight of grants awarded and obligations incurred in prior fiscal years, none of the funds appropriated or otherwise made available by this or any other Act may be used to pay the salaries and expenses of personnel to carry out the provisions of section 401 of Public Law 105–185, the Initiative for Future Agriculture and Food Systems (7 U.S.C. 7621).

SEC. 720. None of the funds appropriated by this or any other Act shall be used to pay the salaries and expenses of personnel who prepare or submit appropriations language as part of the President's Budget submission to the Congress of the United States for programs under the jurisdiction of the Appropriations Subcommittees on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies that assumes revenues or reflects a reduction from the previous year due to user fees proposals that have not been enacted into law prior to the submission of the Budget unless such Budget submission identifies which additional spending reductions should occur in the event the user fees proposals are not enacted prior to the date of the convening of a committee of conference for the fiscal year 2007 appropriations Act.

SEC. 721. None of the funds made available by this or any other Act may be used to close or relocate a State Rural Development office unless or until cost effectiveness and enhancement of program delivery have been determined.

SEC. 722. In addition to amounts otherwise appropriated or made available by this Act, $2,500,000 is appropriated for the purpose of providing Bill Emerson and Mickey Leland Hunger Fellowships, through the Congressional Hunger Center.

SEC. 723. Notwithstanding section 412 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1736f), any balances available to carry out title III of such Act as of the date of enactment of this Act, and any recoveries and reimbursements that become available to carry out title III of such Act, may be used to carry out title II of such Act.

SEC. 724. Section 375(e)(6)(B) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2008j(e)(6)(B)) is amended by striking ''$27,998,000'' and inserting ''$28,498,000''.

SEC. 725. Of any shipments of commodities made pursuant to section 416(b) of the Agricultural Act of 1949 (7 U.S.C. 1431(b)), the Secretary of Agriculture shall, to the extent practicable, direct that tonnage equal in value to not more than $25,000,000 shall be made available to foreign countries to assist in mitigating the effects of the Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome on communities, including the provision of—

(1) agricultural commodities to—

(A) individuals with Human Immunodeficiency Virus or Acquired Immune Deficiency Syndrome in the communities; and

(B) households in the communities, particularly individuals caring for orphaned children; and

(2) agricultural commodities monetized to provide other assistance (including assistance under microcredit and microenterprise programs) to create or restore sustainable livelihoods among individuals in the communities, particularly individuals caring for orphaned children.

SEC. 726. Notwithstanding any other provision of law, the Natural Resources Conservation Service shall provide financial and technical assistance to the Kane County, Illinois, Indian Creek Watershed Flood Prevention Project, from funds available for the Watershed and Flood Prevention Operations program, not to exceed $1,000,000 and Hickory Creek Special Drainage District, Bureau County, Illinois, not to exceed $50,000.

SEC. 727. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this or any other appropriation Act.

SEC. 728. Notwithstanding any other provision of law, of the funds made available in this Act for competitive research grants (7 U.S.C. 450i(b)), the Secretary may use up to 22 percent of the amount provided to carry out a competitive grants program under the same terms and conditions as those provided in section 401 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7621).

SEC. 729. None of the funds appropriated or made available by this or any other Act may be used to pay the salaries and expenses of personnel to carry out section 14(h)(1) of the Watershed Protection and Flood Prevention Act (16 U.S.C. 1012(h)(1)).

SEC. 730. None of the funds appropriated or made available by this or any other Act may be used to pay the salaries and expenses of personnel to carry out subtitle I of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009dd through dd–7).

SEC. 731. Agencies and offices of the Department of Agriculture may utilize any unobligated salaries and expenses funds to reimburse the Office of the General Counsel for salaries and expenses of personnel, and for other related expenses, incurred in representing such agencies and offices in the resolution of complaints by employees or applicants for employment, and in cases and

other matters pending before the Equal Employment Opportunity Commission, the Federal Labor Relations Authority, or the Merit Systems Protection Board with the prior approval of the Committees on Appropriations of both Houses of Congress.

SEC. 732. None of the funds appropriated or made available by this or any other Act may be used to pay the salaries and expenses of personnel to carry out section 6405 of Public Law 107–171 (7 U.S.C. 2655).

SEC. 733. Of the funds made available under section 27(a) of the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.), the Secretary may use up to $10,000,000 for costs associated with the distribution of commodities.

SEC. 734. None of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to enroll in excess of 154,500 acres in the calendar year 2006 wetlands reserve program as authorized by 16 U.S.C. 3837.

SEC. 735. None of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel who carry out an environmental quality incentives program authorized by chapter 4 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3839aa et seq.) in excess of $1,012,000,000.

SEC. 736. None of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to expend the $23,000,000 made available by section 9006(f) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8106(f)).

SEC. 737. With the exception of funds provided in fiscal year 2003, none of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to expend the $50,000,000 made available by section 601(j)(1)(A) of the Rural Electrification Act of 1936 (7 U.S.C. 950bb(j)(1)(A)).

SEC. 738. None of the funds made available in fiscal year 2005 or preceding fiscal years for programs authorized under the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1691 et seq.) in excess of $20,000,000 shall be used to reimburse the Commodity Credit Corporation for the release of eligible commodities under section 302(f)(2)(A) of the Bill Emerson Humanitarian Trust Act (7 U.S.C. 1736f–1): *Provided*, That any such funds made available to reimburse the Commodity Credit Corporation shall only be used pursuant to section 302(b)(2)(B)(i) of the Bill Emerson Humanitarian Trust Act.

SEC. 739. None of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to expend the $120,000,000 made available by section 6401(a) of Public Law 107–171.

SEC. 740. Notwithstanding subsections (c) and (e)(2) of section 313A of the Rural Electrification Act (7 U.S.C. 940c(c) and (e)(2)) in implementing section 313A of that Act, the Secretary shall, with the consent of the lender, structure the schedule for payment of the annual fee, not to exceed an average of 30 basis points per year for the term of the loan, to ensure that sufficient funds are available to pay the subsidy costs for note guarantees under that section.

SEC. 741. None of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to carry out a Conservation Security Program authorized by 16 U.S.C. 3838 et seq., in excess of $258,000,000.

SEC. 742. None of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to carry out section 2502 of Public Law 107–171 in excess of $60,000,000.

SEC. 743. None of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to carry out section 2503 of Public Law 107–171 in excess of $83,500,000.

SEC. 744. With the exception of funds provided in fiscal year 2005, none of the funds appropriated or otherwise made available by this or any other Act shall be used to carry out section 6029 of Public Law 107–171.

SEC. 745. None of the funds appropriated or otherwise made available in this Act shall be expended to violate Public Law 105–264.

SEC. 746. None of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to carry out a ground and surface water conservation program authorized by section 2301 of Public Law 107–171 in excess of $51,000,000.

SEC. 747. None of the funds made available by this Act may be used to issue a final rule in furtherance of, or otherwise implement, the proposed rule on cost-sharing for animal and plant health emergency programs of the Animal and Plant Health Inspection Service published on July 8, 2003 (Docket No. 02–062–1; 68 Fed. Reg. 40541).

SEC. 748. None of the funds made available in this Act may be used to study, complete a study of, or enter into a contract with a private party to carry out, without specific authorization in a subsequent Act of Congress, a competitive sourcing activity of the Secretary of Agriculture, including support personnel of the Department of Agriculture, relating to rural development or farm loan programs.

SEC. 749. Hereafter, notwithstanding any other provision of law, the Secretary of Agriculture may use appropriations available to the Secretary for activities authorized under sections 426–426c of title 7, United States Code, under this or any other Act, to enter into cooperative agreements, with a State, political subdivision, or agency thereof, a public or private agency, organization, or any other person, to lease aircraft if the Secretary determines that the objectives of the agreement will: (1) serve a mutual interest of the parties to the agreement in carrying out the programs administered by the Animal and Plant Health Inspection Service, Wildlife Services; and (2) all parties will contribute resources to the accomplishment of these objectives; award of a cooperative agreement authorized by the Secretary may be made for an initial term not to exceed 5 years.

SEC. 750. None of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to carry out section 9010 of Public Law 107–171 in excess of $60,000,000.

SEC. 751. Agencies and offices of the Department of Agriculture may utilize any available discretionary funds to cover the costs of preparing, or contracting for the preparation of, final agency decisions regarding complaints of discrimination in employment or program activities arising within such agencies and offices.

SEC. 752. Funds made available under section 1240I and section 1241(a) of the Food Security Act of 1985 in fiscal year 2006 shall remain available until expended to cover obligations made in fiscal year 2006, and are not available for new obligations.

SEC. 753. None of the funds made available under this Act shall be available to pay the administrative expenses of a State agency that, after the date of enactment of this Act and prior to implementation of interim final regulations regarding vendor cost containment in accordance with the provisions set forth in section 17(h)(11)(G) of the Child Nutrition Act of 1966, authorizes any new for-profit vendor(s) to transact food instruments under the Special Supplemental Nutrition Program for Women, Infants, and Children if it is expected that more than 50 percent of the annual revenue of the vendor from the sale of food items will be derived from the sale of supplemental foods that are obtained with WIC food instruments, except that the Secretary may approve the authorization of such a vendor if the approval is necessary to assure participant access to program benefits or is in accordance with the provisions set forth in section 17(h)(11)(E) of the Child Nutrition Act of 1966.

SEC. 754. There is hereby appropriated $1,000,000, to remain available until expended, for a grant to the Ohio Livestock Expo Center in Springfield, Ohio.

SEC. 755. None of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to carry out an Agricultural Management Assistance Program as authorized by section 524 of the Federal Crop Insurance Act in excess of $6,000,000 (7 U.S.C. 1524).

SEC. 756. None of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to carry out a Biomass Research and Development Program in excess of $12,000,000, as authorized by Public Law 106–224 (7 U.S.C. 7624 note).

SEC. 757. Notwithstanding 40 U.S.C. 524, 571, and 572, the Secretary of Agriculture may sell the US Water Conservation Laboratory, Phoenix, Arizona, and the Western Cotton Research Center, Phoenix, Arizona, and credit the net proceeds of such sales as offsetting collections to its Agricultural Research Service Buildings and Facilities account. Such funds shall be available until September 30, 2007 to be used to replace these facilities and to improve other USDA-owned facilities.

SEC. 758. None of the funds provided in this Act may be used for salaries and expenses to draft or implement any regulation or rule insofar as it would require recertification of rural status for each electric and telecommunications borrower for the Rural Electrification and Telecommunication Loans program.

SEC. 759. None of the funds appropriated or otherwise made available by this Act shall be used for the implementation of Country of Origin Labeling for meat or meat products.

SEC. 760. (a) Notwithstanding any other provision of law, and until the receipt of the decennial Census in the year 2010, the Secretary of Agriculture shall consider—

(1) the City of Bridgeton, New Jersey, the City of Kinston, North Carolina, and the City of Portsmouth, Ohio as rural areas for the purposes of Rural Housing Service Community Facilities Program loans and grants;

(2) the Township of Bloomington, Illinois (including individuals and entities with projects within the Township) eligible for Rural Housing Service Community Facilities Programs loans and grants;

(3) the City of Hidalgo, Texas as a rural area for the purposes of the Rural Business-Cooperative Service Rural Business Enterprise Grant Program;

(4) the City of Elgin, Oklahoma (including individuals and entities with projects within the city) eligible for Rural Utilities Service water and waste water loans and grants;

(5) the City of Lone Grove, Oklahoma (including individuals and entities with projects within the city) eligible for Rural Housing Service Community Facilities Program loans and grants; and

(6) the Municipalities of Vega Baja, Manati, Guayama, Fajardo, Humacao, and Naguabo (including individuals and entities with projects within the Municipalities) eligible for Rural Community Advancement Program loans and grants and intermediate relending programs.

SEC. 761. The Secretary of Agriculture shall use $10,000,000 of the funds of the Commodity Credit Corporation, to remain available until expended, to compensate commercial citrus and lime growers in the State of Florida for tree replacement and for lost production with respect to trees removed to control citrus canker, and with respect to certified citrus nursery stocks within the citrus canker quarantine areas, as determined by the Secretary. For a grower to receive assistance for a tree under this section, the tree must have been removed after September 30, 2001.

SEC. 762. The counties of Burlington and Camden, New Jersey (including individuals and entities with projects within these counties) shall be eligible for loans and grants under the Rural Community Advancement Program for fiscal year 2006 to the same extent they were eligible for such assistance during the fiscal year 2005 under section 106 of Chapter 1 of Division B of Public Law 108–324 (188 Stat. 1236).

SEC. 763. Of the unobligated balances available in the Special Supplemental Nutrition Program for Women, Infants, and Children reserve account, $32,000,000 is hereby rescinded.

SEC. 764. None of the funds provided by this Act shall be used to pay salaries and expenses and other costs associated with implementing or administering section 508(e)(3) of the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) for the 2006 reinsurance year.

SEC. 765. None of the funds appropriated or otherwise made available by this Act for the Food and Drug Administration may be used under section 801 of the Federal Food, Drug, and Cosmetic Act to prevent an individual not in the business of importing a prescription drug within the meaning of section 801(g) of such Act, wholesalers, or pharmacists from importing a prescription drug which complies with sections 501, 502, and 505.

SEC. 766. Unless otherwise authorized by existing law, none of the funds provided in this Act, may be used by an executive branch agency to produce any prepackaged news story intended for broadcast or distribution in the United States unless the story includes a clear notification within the text or audio of the prepackaged news story that the prepackaged news story was prepared or funded by that executive branch agency.

SEC. 767. In addition to other amounts appropriated or otherwise made available by this Act, there is hereby appropriated to the Secretary of Agriculture $7,000,000, of which not to exceed 5 percent may be available for administrative expenses, to remain available until expended, to make specialty crop block grants under section 101 of the Specialty Crops Competitiveness Act of 2004 (Public Law 108–465; 7 U.S.C. 1621 note).

The Acting CHAIRMAN. Are there any points of order to that portion of the bill?

POINTS OF ORDER

Mr. GOODLATTE. Mr. Chairman, I make a point of order against section 749 that begins on page 77, line 1, and ends on page 77, line 16, in that it violates House rule XXI, clause 2, by changing existing law and inserting legislative language in an appropriation bill.

The Acting CHAIRMAN. Does anybody wish to be heard on the point of order? If not, the Chair will rule.

The Chair finds that this provision explicitly supersedes existing law. The provision, therefore, constitutes legislation in violation of clause 2 of rule XXI. The point of order is sustained, and the provision is stricken from the bill.

Are there any other points of order to this bill?

Mr. GOODLATTE. Mr. Chairman, I make a point of order against section 760 that begins on page 81, line 1 through 7 and beginning with ''and'' on page 81, line 11 through ''programs'' on line 17 in that it violates House rule XXI, clause 2, by changing existing law and inserting legislative language in an appropriation bill.

The Acting CHAIRMAN. Does any Member wish to be heard on the point of order? If not, the Chair will rule.

The Chair finds that this provision includes language conferring authority. The provision, therefore, constitutes legislation in violation of clause 2 of rule XXI. The point of order is sustained, and the provision is stricken from the bill.

AMENDMENT OFFERED BY MR. BONILLA

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

The Clerk read as follows:

Amendment offered by Mr. BONILLA:

On page 73, line 16, insert after the dollar amount the following: ''(increased by $40,000,000)'';

On page 75, line 10, insert after the dollar amount the following: ''(decreased by $13,000,000)'';

On page 75, line 15, insert after the dollar amount the following: ''(decreased by $17,000,000)''; and,

On page 75, line 20, insert after the dollar amount the following: ''(decreased by $10,000,000)''.

Mr. BONILLA (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. BONILLA. Mr. Chairman, I am offering this amendment as part of the agreement that I referred to earlier with the chairman of the Committee on Agriculture.

I am offering the amendment under the agreement that we would add $40 million back to the Environmental Quality Incentives program account. That is what the amendment does, and it is paid for by increasing the limitations on the Conservation Security program, the Wildlife Habitat Incentives program, and the Farm and Ranchlands Protection program.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. BONILLA).

The amendment was agreed to.

AMENDMENT OFFERED BY MS. DELAURO

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

The Clerk read as follows:

Amendment offered by Ms. DELAURO:

In section 757, strike ''and the Western Cotton Research Center, Phoenix, Arizona, and credit the net proceeds of such sales'' and insert ''and credit the net proceeds of such sale''.

Mr. KOLBE. Mr. Chairman, I rise today in suppor of Mrs. DELAURO's amendment to strike part of Section 757 of Title VII of the Agriculture Appropriations bill for Fiscal Year 2006.

In 1966, the Arizona Cotton Growers Association and the Arizona Cotton Planting Seed Distributors deeded a piece of property located at 4135 East Broadway Road in Phoenix To USDA for $1.00 to help with the construction of the Western Cotton Research Center. With the construction of a new facility for the research center at the University of Arizona'a Maricopa Agricultural Center, the research and its staff will move within the next two years, leaving this property behind.

I think it is appropriate that this property, which abuts the headquarters of the Arizona Cotton Growers Association, revert back to that group, since they deeded this property to USDA originally for only $1.00.

I fully support removing the language allowing the Secretary of Agriculture to sell the Wester Cotton Research Center, Phoenix, Arizona and crediting the net proceeds of that sale as offsetting collections to the ARS Buildings and Facilities account.

Mr. BONILLA. Mr. Chairman, this is a good amendment that the gentleman from Arizona (Mr. PASTOR) has worked very hard on for some time and the gentlewoman from Connecticut (Ms. DELAURO) is offering on his behalf, and we are happy to accept the amendment.

The Acting CHAIRMAN. The gentlewoman from Connecticut (Ms. DELAURO) is recognized for 5 minutes.

Ms. DELAURO. Mr. Chairman, I thank the gentleman for accepting the amendment.

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from Connecticut (Ms. DELAURO).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. MORAN OF KANSAS

Mr. MORAN of Kansas. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MORAN of Kansas:

Add at the end (before the short title), the following new section:

SEC. 7____. Of the amount made available under the heading ''ANIMAL AND PLANT HEATH INSPECTION SERVICE—SALARIES AND EXPENSES'', $15,000,000 shall be used by the Secretary of Agriculture to carry out sections 454 and 455 of the Plant Protection Act (7 U.S.C. 7783, 7784).

Mr. BONILLA. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIRMAN. A point of order is reserved. The gentleman from Kansas (Mr. MORAN) is recognized for 5 minutes.

Mr. MORAN of Kansas. Mr. Chairman, today I offer an amendment to appropriate funds for the eradication of noxious weeds.

I first would like to thank the gentleman from Texas (Mr. BONILLA), the chairman of the Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, as well as the gentlewoman from Connecticut (Ms. DELAURO), for their leadership in what I know is a very difficult task of allocating funds within the budgetary restraints that we find ourselves. I would also like to thank their staff for their hard work and their efforts to accommodate my amendment.

This amendment would allocate within the Animal and Plant Health Inspection Service $15 million to fund the Noxious Weed Control and Eradication Act of 2004. This legislation, the act, was authorized for the past 2 years, but no funding has yet been appropriated to carry out the purpose of the program.

The Noxious Weed Control and Eradication Act passed the House in October of 2004 and allows the Secretary of the Department of Agriculture to establish a grant program to control and eradicate noxious weeds.

This legislation gives local weed management entities the ability to control local weed problems and provides the funding necessary for them to meet a very serious need in many places across the country.

This legislation has broad bipartisan support and will benefit the entire Nation.

Noxious weeds are a significant environmental and economic concern. I know from my own experiences in Kansas, we have a difficult time controlling the very difficult and noxious weeds. Sericea lespedeza is a weed that has invaded many acres of the foothills region of Kansas, which contain some of the few remaining acres of native tall grass prairie.

Sericea lespedeza is just one example of many invasive species that create economic hardship across the country; and by finally providing these funds, we can help in the battle to eradicate this and prevent a major outbreak of noxious weeds.

This is a matter in which timing is critical; and we need to give our communities, our local entities, and our farmers, landowners, the tools they need to manage our natural landscapes.

Mr. Chairman, I thank my colleagues for the offering of this amendment.

□ 1400

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

Mr. Chairman, is it the gentleman's intention to withdraw his amendment?

Mr. MORAN of Kansas. Mr. Chairman, will the gentleman yield?

Mr. BONILLA. I yield to the gentleman from Kansas.

Mr. MORAN of Kansas. Mr. Chairman, based upon previous conversations with the gentleman from Texas and the staff of the agriculture subcommittee, I am willing to withdraw my amendment under the understanding that we have reached in regard to cooperation on this issue in the future.

Mr. BONILLA. Mr. Chairman, absolutely. Let me point out that the gentleman from Kansas is not only working hard on this particular issue, but he is a key player on agricultural issues that we deal with on a daily basis here in Washington. I am not only on this issue, but whatever issue the gentleman brings forward, we are ready and willing to discuss, work with and solve problems with him. He comes to the table every day very serious about these issues and truly in his heart wants to solve issues that face agriculture across the country.

Mr. MORAN of Kansas. Mr. Chairman, I ask unanimous consent to withdraw my amendment and look forward to working with the gentleman from Texas (Mr. BONILLA) in regard to this issue being considered in the future.

The Acting CHAIRMAN (Mr. FORBES). Is there objection to the request of the gentleman from Kansas?

There was no objection.

The Acting CHAIRMAN. The amendment is withdrawn.

AMENDMENT NO. 8 OFFERED BY MR. REHBERG

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 8 offered by Mr. REHBERG: Strike section 759 (page 80, lines 7 through 10), relating to the delay in country of origin labeling for meat and meat products.

Mr. REHBERG. Mr. Chairman, here we are addressing an issue we have addressed many times over the last several years. I find myself in a precarious position because I do support the agriculture appropriations bill, and I think the gentleman from Texas (Mr. BONILLA) deserves a pat on the back for the fine work he has accomplished over the last several months in putting this piece of legislation together.

The issue I am talking about today is country-of-origin labeling. The thing we cannot kid ourselves about is that the actions that were taken within the Committee on Appropriations will effectively delay country-of-origin labeling's implementation, but, unfortunately, it probably kills it because there is that attempt that is occurring.

This was an issue supported by the House of Representatives and passed, supported by the Senate and passed, and ultimately signed by the President of the United States. What I find ironic is the opponents say this would be costly, difficult to implement, and it is not a safety issue. I brought along a number of articles today that kind of take the wind out of the sails of that argument.

I find interesting that, in the Auburn Journal in northern California, one of the areas that has been allowed to be implemented is seafood. Fruits and vegetables are shortly behind. The only ones that are not being able to be implemented are cattle. So I draw Members' attention to an article in the Auburn Journal dated May 25, 2005.

What this article says is, ''Seafood savvy now know where their meal grew up.'' It states, ''In the seafood section at Raley's supermarket, small blue containers line the shelves, filled with red and tan fish. Labels on the clear wrappers give traditional information about the seafood type and nutritional facts. In the bottom right-hand corner, however, a new label is attached: a small white rectangle with bold black print that reads 'Product of Ecuador,' 'Product of China,' or 'Product of U.S.A.'

''Raley's has been labeling its seafood products since January, said Keith Allen, Auburn Raley's meat department manager. While the burden of labeling falls on grocers, it has not been difficult for the meat department staff to adjust to the change. 'It is just a matter of putting the sticker on the package,' he said Monday.

''By naming the country of origin, the labels give savvy customers the opportunity to choose fish from countries with high sanitation standards and better growing conditions. Several customers have already commented on the change, Allen said.

''Annette Eastman, shopping at Raley's Tuesday morning, said she was glad to see the new labels. She would prefer not to buy seafood from countries such as Mexico because she worries that the quality of the water where the fish that are raised is poor.

'' 'I would much rather buy something from the U.S.A.,' she said, pointing to the fish fillet labeled 'Product of the U.S.A.' Another shopper, Tammieh Vernon, also said the labels would influence her seafood purchases.''

Interesting as well, I pulled this article off the Internet. The title: Country-of-origin labeling good news for Texas shrimp enthusiasts. May 15, 2005.

''Texans who are picky about where their shrimp comes from can now rest assured that they are getting exactly what they want. As of April 4, labeling of fish and shellfish for country of origin and method of production became mandatory. The announcement by the USDA requires retailers to notify their customers of the country of origin of the seafood they buy.

'' 'It is a win/win situation for Texas,' said Agriculture Commissioner Susan Combs. 'Texans love to buy Texas products, and this way they will know they are getting the quality they love. In turn, sales will increase, providing a boost to Texas shrimp producers and the State's economy.'

''With these new rules and regulations, more Texas consumers will have the opportunity to buy Lone Star State shrimp. This new regulation enables consumers to quickly differentiate between domestic and imported products, said D'Anne Stites, Texas Department of Agriculture's coordinator.

''Country-of-origin labeling or COOL regulations will make marketing easier as customers can see firsthand what

they are getting. Stites said, 'Consumers will be able to ask for Texas shrimp with the knowledge of what is available in front of them.' ''

So it is a marketing issue, very clearly. But I think the people of America want to know where their livestock does in fact come from.

It was interesting to see that Japan shut our markets down on Christmas Eve of 2003 and still have not opened them. Unfortunately, 23 percent of our exports go to Japan. And why did they not open their markets and why did they close them in the first place? Because we could not prove that our livestock that we are exporting to Japan did not come from Canada.

So it is not a trade issue. In some ways, it is a safety issue; and that is unfortunate.

I might also point out on May 25 of this year the USDA closed its border to cattle from Durango, Mexico. Agriculture Secretary Mike Johanns on Tuesday announced that USDA Animal and Plant Health Inspection Service has closed the U.S. border to cattle from Mexico's state of Durango due to inadequate health inspection programs there.

The ACTING Chairman. The gentleman's time has expired.

Mr. REHBERG. Mr. Chairman, I ask unanimous consent for 2 additional minutes.

The ACTING Chairman. Is there objection to the request of the gentleman from Montana?

Mr. BONILLA. Mr. Chairman, reserving the right to object, I ask unanimous consent from this point on debate on this amendment be limited to 30 minutes with 15 minutes allotted to the gentleman from Montana (Mr. REHBERG) and 15 minutes allotted to myself who will rise to oppose this amendment.

Mr. OBEY. Mr. Chairman, if the gentleman will yield, I have no problem with the time limit, but I would not want a time limit that boxed the minority out of control of any time.

Mr. BONILLA. Mr. Chairman, my unanimous consent request is to allow 15 minutes for the proponent of the amendment and 15 minutes in opposition to the amendment.

Mr. OBEY. Mr. Chairman, could the gentleman split the time in opposition to the amendment in two?

Mr. BONILLA. Mr. Chairman, I ask unanimous consent for the gentleman from Montana (Mr. REHBERG) to control 15 minutes and to be split between myself and the minority 7½ minutes each in opposition to the amendment.

Mr. OBEY. Mr. Chairman, I have no objection.

Mr. REHBERG. Mr. Chairman, point of clarification, if the intent is to split the proponents of the amendment, so I am a proponent, 15 minutes in favor of my amendment and 7½ minutes each to those that are opposed to the amendment, is that what the unanimous consent requests?

Mr. BONILLA. Mr. Chairman, the gentleman's understanding is correct. In reality, there will probably be more speakers in favor of the Rehberg amendment.

The Acting CHAIRMAN. Does the request of the gentleman from Texas include any amendments to the amendment of the gentleman from Montana (Mr. REHBERG)?

Mr. BONILLA. No.

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

There was no objection.

The Acting CHAIRMAN. The gentleman from Montana (Mr. REHBERG) will control 15 minutes, the gentleman from Texas (Mr. BONILLA) will control 7½ minutes, and the gentlewoman from Connecticut (Ms. DELAURO) will control 7½ minutes.

The Chair recognizes the gentleman from Montana (Mr. REHBERG).

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

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

Mr. Chairman, I rise in strong opposition to the gentleman's amendment. This is an issue that many of us have been working on for many years. The country-of-origin labeling provisions that were part of the last farm bill would present a nightmare to many producers in this country. Good, salt-of-the-earth people in agriculture know that this would impose up to $1 billion in additional costs to their already overworked people and to their budgets, which are already being taxed.

This is also an issue for anybody who believes that grocery stores and retailers are part of Americana in this country, and they would rise in strong opposition to this amendment because there is a liability in the country-of-origin labeling that would in essence make your friendly corner grocery store liable for trial lawyers to come in and say you did not put the fact that this calf may have been born in one country, processed in another country, and now on the meat counter in your local grocery store. Now the lawyers can come along and say, we are taking you to court, causing the price of beef to go up for American families. That is not something that would reflect favorably for anyone in this country, whether you are a producer, a retailer or a consumer.

This is a marketing issue. I realize there is an intent by this country-of-origin labeling provision to mandate that these labels be put on products. Nothing could be more anti free enterprise than to mandate labeling on a product. If consumers want this, they will ask their retailer to put it on the product so they can favor that product over another.

I am not sure what the origin of the country-of-origin labeling provision was in the last farm bill, but there is no doubt it would create additional costs that consumers would have to bear.

I would also want to compliment the chairman of the authorizing committee, the gentleman from Virginia (Mr. GOODLATTE), for introducing a bill to make this country-of-origin labeling provision voluntary. There are dozens of cosponsors on the bill. It is a bipartisan effort. Many of us have been working on that for a long time, and we hope that this provision that I have put in this bill remains by voting no on the Rehberg amendment.

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

Mr. REHBERG. Mr. Chairman, I yield 10 seconds to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Chairman, I simply want to rise in support of the gentleman's amendment. There is no earthly reason why consumers should not know where their food is coming from, and I would hope the House would pass the amendment.

Mr. REHBERG. Mr. Chairman, I yield 3 minutes to the gentlewoman from South Dakota (Ms. HERSETH).

Ms. HERSETH. Mr. Chairman, I rise in complete support of this amendment, and I want to commend the strong and tenacious leadership of the gentleman from Montana (Mr. REHBERG) for his offering of the amendment today. I also rise with no small measure of frustration and exasperation that this amendment is even necessary today.

The 2002 farm bill made a promise to farmers and ranchers across this country. It promised them that the Secretary of Agriculture would implement a program to inform consumers where their meat and vegetables come from. Producers in South Dakota see tremendous potential in this program and urged its inclusion in the farm bill. In fact, had this provision not been in the bill, I think that many of them would not have supported its passage. This promise was supposed to be fulfilled by September 30 of last year.

□ 1415

The program should already be up and running. Instead, the large meat packers have rallied to kill this program because they do not want American consumers to discover how much of the meat in the grocery case is actually imported. And these packing interests have found strong and willing allies here in this body. Two years ago in an appropriations bill, Congress voted to delay the implementation of this program until September 30 of next year.

Now we see that this 2-year delay was not enough for them. Their allies in this Chamber are at it again today, seeking to delay implementation of this important program for yet another year. This is unconscionable and it is just the tip of the iceberg. Leadership in this body is breaking faith with rural America on a host of important issues. The administration is leading the fight to reopen our border to Canadian beef despite ongoing concerns about the safety of their beef supply and over the strong objections of many U.S. ranchers and consumer groups.

Rural America is also under attack in the budget process. The 2007 budget, which recently passed this body with only Republican votes, will cut $3 billion from farm safety net programs in the coming years. The President's budget was even worse, seeking a cut of almost $6 billion in farm bill programs. Because of this budget, the farm income safety net, conservation programs and food stamps are now facing huge cuts in the coming years. I see mandatory country-of-origin legislation as a win-win situation and no more delays are justified. It is a win for consumers who get the security of knowing where their meat comes from, and it is a win for our producers who can build a stronger marketplace for their meat based on the quality of the product.

Let us not forget that American consumers have shown overwhelming support for COOL. A nationwide poll taken last year found that 82 percent of consumers think food should be labeled with country-of-origin information; 85 percent said they would be more inclined to purchase U.S. products; and 81 percent said they would be willing to pay a few cents extra for food that is grown here at home. American consumers want the ability to be as informed about their food purchase decisions as they are about virtually all of the other consumers goods they purchase. Country-of-origin labeling gives them this tool and they support it.

Let us restore our commitment to rural America. I urge my colleagues to support this amendment. A 2-year delay is long enough. Let us allow the Agriculture Secretary to fulfill the promise of the 2002 farm bill by giving producers the marketing tools that they need and consumers the information that they are seeking on the origin of the food they buy.

Mr. REHBERG. Mr. Chairman, I yield 4 minutes to the gentlewoman from Oregon (Ms. HOOLEY).

Ms. HOOLEY. Mr. Chairman, I thank the gentleman for yielding me this time.

I agree with the statements made by my colleague from Montana, and I thank him for the leadership he has shown on this issue. Our amendment is very simple. It would allow country-of-origin labeling, better known as COOL, which was approved by a majority of this House in the last farm bill, to go forward this next year. We have got to stop yet another backdoor attempt to halt country-of-origin food labeling rules. Consumers deserve to know where their meat is produced and that it is safe, and farmers and ranchers deserve the fair deal provided by open and honest labeling.

The gentleman from Montana is up here today for the same reason I am. Like me, he represents an agricultural district and country-of-origin labeling is something that our farmers want. That is why country-of-origin labeling enjoys such broad support in the agriculture community. Our amendment is supported by the National Farmers Union and over 120 other organizations.

Over the last few days, I have received letters of encouragement from many Oregon farmers thanking me for helping to bring this amendment forward. Our farms grow the best produce and raise the best livestock in the world, and American consumers know this. Studies have shown that Americans want to buy American commodities and are even willing to pay a premium to do so. Our Nation's farmers and ranchers produce the best and safest commodities in the world and consumers deserve the chance to know where their food is born, raised, and processed.

Country-of-origin labeling provides U.S. agriculture producers the opportunity to promote their excellent products. The labeling law does not violate international trade agreements, would not drastically increase producer and consumer costs, does not require third-party documentation for trace-back or disadvantage any commodity. Thirty-five other countries require country-of-origin labeling, and COOL has already gone into effect for fish and shellfish. Labeling products is simply a promotional tool for U.S. producers and an information source for consumers.

For these reasons, we had country-of-origin labeling provisions added to the last farm bill. Country-of-origin labeling has been delayed for several years and has been studied to death. This provision in the agriculture appropriations bill continues that trend.

Country-of-origin labeling is good for American farmers and good for American consumers. I encourage my colleagues on both sides of the aisle to stand up for their constituents and vote for the Rehberg/Hooley amendment.

Ms. DELAURO. Mr. Chairman, I yield 2 minutes to the gentleman from Arkansas (Mr. BERRY).

Mr. BERRY. Mr. Chairman, I thank the gentlewoman from Connecticut for yielding me this time. I certainly think that of all the discussions we have had on this floor, everyone on both sides of the aisle has nothing but the best intentions, and I respect that. I think that as we move forward in the protection of our food supply, it is important for us not to burden an industry with requirements and costs that go above and beyond what is necessary for us to protect the public health and safety. I think that this bill goes too far when it absolutely requires mandatory labeling of the products.

I think that we can do this on a voluntary basis, give our producers the right to put the label that they wish as far as the origin of their product on their product, and put it on the grocery store shelf and see what happens. We have no indication that just labeling the country of origin makes a significant difference in the marketing of these products, and I think it is an unnecessary extra layer of regulation that we are about to put on an industry that many times has a very difficult time staying in business anyway.

I rise in opposition to this amendment and recognize that everyone on both sides of the issue has nothing but the best of intentions and certainly wishes the industry well and especially our grass-roots producers. We want to do what is necessary to help them all we can. But I still would encourage a ''no'' vote on this amendment and look forward to seeing this issue at some date, maybe long after I am gone from this place, resolved, because it has been around a long time.

Mr. BONILLA. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia (Mr. GOODLATTE), the distinguished chairman of the Committee on Agriculture.

Mr. GOODLATTE. Mr. Chairman, I thank the gentleman for yielding time, and I join him in rising in strong opposition to this amendment. This amendment is foolhardy just like the underlying provision that was placed in the farm bill at the last minute. We debated this thoroughly in the House Agriculture Committee prior to the writing of that farm bill and the committee members, 51 members, all from agricultural districts, overwhelmingly rejected this amendment as not in the best interest of America's farmers and ranchers. The Senate held no hearings, insisted on this provision, and it was put into law.

What we found after it was put into law was that it does harm. It does exactly the opposite of what farmers and ranchers intended. It increases the cost an estimated $10 per head for cattle, $1.50 for hogs, a similar amount for sheep; and it has the effect, the opposite of what was intended. It will make our products less competitive with foreign meat products, not more competitive. That is wrongheaded.

Secondly, it imposes unbelievably stringent liability on the retailers, and every one of them is writing their own separate set of regulations, so that if this law is allowed to take effect, and I commend the gentleman from Texas (Mr. BONILLA) for postponing that because we need to have a voluntary system, if it goes into effect, we are going to have a separate set of regulations for each retailer that farmers and ranchers will have to comply with in order to get their products sold. Once again they will say no liability risk if we buy the foreign product, no problem complying with additional regulations, they are going to buy more foreign product, not less.

Finally, last year I offered in the Committee on Agriculture legislation to do this the right way, to make it voluntary. When we did so, again the committee members overwhelmingly voted not to do this mandatory system, but to make it voluntary. That is what we should continue to work toward today. The way to do that is to keep the provision of the gentleman from Texas in this bill and delay the implementation of this very bad legislation.

Mr. REHBERG. Mr. Chairman, I yield 2 minutes to the gentlewoman from Wyoming (Mrs. CUBIN).

Mrs. CUBIN. Mr. Chairman, today I rise in support of this amendment to strike the language which would once again delay full implementation and rightful implementation of country-of-origin labeling for meat and meat products. Congress authorized mandatory COOL in the 2002 farm bill, and delaying it further is an injustice to American farmers, ranchers, and consumers.

According to the Food and Drug Administration, which is the Federal agency charged with ensuring food safety, less than 1 percent of all food products imported into the United States are inspected by customs. If a meat product enters the country shelf-ready, such as ground beef, it is not required at all to be inspected by the USDA. A USDA approval stamp only appears on meat products which have been transformed into a graded cut. What this means is that less than 1 percent of the beef that is imported from foreign countries is inspected by the USDA. The USDA is in place to protect us. As a housewife and a mother, I would gladly pay a few extra cents on every pound of hamburger or on every pound of beef that I buy if I knew that that beef was produced in the United States, because I would have a sense of safety that my family was eating meat that was inspected, because all American beef is inspected.

Essentially, a shipment such as ground beef could be imported into America from a foreign country and wind up on a family's dinner table having never been inspected by American authorities. Without the implementation of mandatory COOL, we will continue under a voluntary program, and the status quo clearly does not effectively protect the safety of American consumers.

America's agriculture industry produces some of the safest, highest quality products in the world. If given a chance, Americans will choose American products time and time again.

Mr. BONILLA. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Texas (Mr. ORTIZ).

Mr. ORTIZ. Mr. Chairman, I rise in support of the Bonilla provision to delay implementing mandatory country of origin labeling, which is known as COOL, for meat and meat products for 1 year. This distinction is important. This delay is for meat and associated products alone. In the 2002 farm bill, we added the COOL requirement for fruits and vegetables. The conference, however, expanded the mandate to meat, fish, perishable agricultural commodities, and peanuts. As most things not vetted by committees, these regulations brought a number of problems and unintended consequences. Several government and private studies have identified numerous costs added, especially for consumers.

American families should not pay the price for marketing beef without it being any safer than it is now. The House has previously voted to delay mandatory COOL in order to review the law and develop a voluntary option. The Bonilla provision to delay COOL labeling for meat is the right thing to do. I ask the House to join me in keeping this provision and oppose the motion to strike.

Mr. REHBERG. Mr. Chairman, I yield 2 minutes to the gentlewoman from Connecticut (Ms. DELAURO).

□ 1430

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

I hear a lot of talk about voluntary, but we have no mandatory right to recall tainted products. We have voluntary labeling of drugs, which can hurt people. We have voluntary marketing studies after a drug has been brought to market. When are we going to do something that makes sure that we are protecting people's interests?

Country-of-origin labeling is about providing people the information they need to make an informed choice to protect the safety of their families. Thirty-five other countries that we trade with, including Canada, Mexico, members of the European Union, have country-of-origin labeling. Seven out of ten people say they are willing to pay more to know where their food is coming from.

Food imports are increasing. The number of inspections of imported meat is actually decreasing. Consumers have a right to know, given the fact that we continue to have major recalls of meat products. This year we have had over 30 recalls.

This effort is about being able to trace back contaminated product in the event of a recall. Knowing the source of an outbreak is a critical part of the process so that we can quickly take action to prevent people from getting sick. It is critically important considering the 76 million sicknesses, 5,000 deaths that occur every year from food-borne illness.

Some say that if we halt the implementation of the country-of-origin labeling for meat, it will allow more time to consider the impact on the food industry. Congress has given the USDA more than 2 years to design a program that is fair to all parties including industry and consumers. Country-of-origin labeling will not violate trade agreements, lead to retaliation. It will not bankrupt the food industry. It simply says to consumers they will know where their food comes from. We owe the American people that.

I urge my colleagues to support the Rehberg-Hooley amendment.

Mr. BONILLA. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Iowa (Mr. KING).

Mr. KING of Iowa. Mr. Chairman, I thank the chairman for yielding me this time.

I would address it this way, that I am cool towards mandatory COOL, not towards Montana or my colleague from up there. We have a situation here where we have our cart ahead of our horse. We cannot identify our meat until we can identify where it comes from.

We have initiated a trace-back system for an animal ID in this Congress. That needs to be done first. I introduced that amendment in the Committee on Agriculture last year. Identify where the livestock comes from first, then have the discussion about whether it is mandatory or whether it is going to be an option for our producers. And whether it is a benefit to us from an economic standpoint, a retail standpoint, that really needs to be looked at from the marketing perspective and the more voluntary perspective. But I say delay that until we know where these animals come from. We are going to get that done in this Congress in the next couple of years, and then we can take a look at it from the perspective of what is the most legitimate approach. But right now we have our cart in front of our horse.

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

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

Mr. BONILLA. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. CONAWAY), a distinguished Member from the great City of Midland.

Mr. CONAWAY. Mr. Chairman, with all due respect to my good colleagues from Montana and others who have spoken in favor of this, I rise in opposition to it.

It is not about food safety. If it were about food safety, then the 52 percent of meat that Americans consume would be involved in this labeling process, and that is not the case. Any meat consumed in retail food establishments is not affected by this labeling. So when one goes into their local restaurant and orders a steak, it will not come out labeled as to where that steak comes from. So if it was really about food safety, my colleagues would be speaking about that.

It is really a marketing program, a heavy-handed approach by this Federal Government to demand a marketing program that may or may not work. The voluntary COOL program that the gentleman from Virginia (Mr. GOODLATTE) is proposing, of which I am a cosponsor, will give the industry an opportunity to design a system that works for them. We all have to look at the Certified Angus Beef programs and Idaho potatoes to understand that the free market can, in fact, devise labeling opportunities or labeling programs that do benefit consumers and allow consumers to make that choice. So I stand against this amendment, with all due respect.

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

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

As my colleagues noticed, this is about marketing essentially, and it is

about the fact that an entire industry was created in places like Texas to take advantage of cheap Mexican calves, bringing them across the border, fattening them up, and selling them in our food system without any knowledge of where they come from. Born, raised, and processed means we are proud of USA agriculture, USA livestock.

There is an unintended consequence, Mr. Chairman. The unintended consequence is the gentleman from Texas's (Mr. ORTIZ) very own State loves the country-of-origin labeling that was mandated by that same farm bill on fish. I will read one more time that quote: ''It's a win-win situation for Texas,'' said Agriculture Commissioner Susan Combs. ''Texans love to buy Texas products, and this way they'll know they're getting the quality they love. In turn, sales will increase, providing a boost to Texas shrimp producers and the State's economy.''

They love it when it works to their advantage. They are opposed to it when they think it might change something.

This is a good piece of legislation. It may not, it may not be a health issue to the gentleman from Texas, but it obviously is a health issue to some of our trading partners.

On December 23, when the cow was found in the State of Washington that had Mad Cow disease, it took exactly 24 hours for 60 of our trading partners to shut off our exports, 60 of them. One-third have now reopened those markets. Our largest export market has not, and that is Japan. So it is a health issue with them.

The problem that exists right now, and it was very quietly done, but on May 21, as I mentioned before, the state of Durango in Mexico can no longer send live cattle to the United States along the Texas border because they were mixing cattle between two regions within their state, one that has the ability to be exported and the other that does not. These are the trading partners that are sending us their livestock that we do not have the ability to label where it came from.

Unfortunately, bovine TB is contagious, infectious, and a communicable disease. It affects cattle, bison, deer, elk, goats, and other species, including humans, and it could be fatal.

We want to know where our livestock came from. Is it so simple that we cannot understand that we currently exempt some of the issues or some of the products like beads and ball bearings and bolts and nuts and buttons, feathers, hair nets? There are not many exceptions to the labeling laws in this country: rags, ribbons, screws, sponges, wicking, candle, and livestock. Livestock because it is about the pocketbook.

I am here to stand before the Members today and ask them to support the amendment. Give us the opportunity to show that labeling livestock will be met with the same kind of enthusiasm by the consumer and those of us who are truly cattle producers. I am a producer. I still have to deal with this. Perhaps I will have to pay for it. But I know the American consumer will want the opportunity to purchase my livestock because I know where it came from. It is a closed herd. It was born, it was raised, and it is processed in America.

That is what makes America great, is the opportunity to label. Voluntary does not work. If voluntary worked, we would be doing it now. But it does not. Why? Because the meat processors and the supermarkets will not allow us the opportunity to have it labeled. They say they can. They say they might. But we cannot make them, and when we cannot make them, we have no influence nor ability to do it.

Fruits and nuts will soon have country-of-origin labeling as well. It has been allowed to move forward, and what they did is they segregated our support for country-of-origin labeling. They let the fish go. The Texas producers love it. They let fruits and nuts go. California and the rest of the producers will like it. But they will not let livestock go for purely economic reasons.

It is time we send a message to those that are standing in the way and allow us the opportunity to tell the American consumer born, raised, and processed in America means something. Buy American.

(Mr. HAYES asked and was given permission to revise and extend his remarks at this point in the RECORD.)

Mr. HAYES. Mr. Chairman, I rise today in opposition to the amendment offered by Mr. REHBERG and Ms. HOOLEY, I applaud Chairman BONILLA for including a provision in the agriculture appropriations bill that would limit USDA's funding for implementing the mandatory country-of-origin labeling law for meat and meat products. The country-of-origin labeling laws as currently written clearly requires more Congressional attention before going into effect by September 30, 2006.

As a member of the Agriculture Committee and as Chairman of the Livestock and Horticulture Subcommittee, I have held hearings to discuss how mandatory country-of-origin labeling will affect the entire livestock industry. I have personally heard the numerous concerns of producers, processors, suppliers, and retailers in trying to implement this onerous program. These hearings raised many questions, and the livestock witnesses specifically pointed out the tremendous potential for increased costs and unintended consequences. All of the witnesses, regardless of being for or against country-of-origin labeling, unanimously stated that this is not a food safety issue but a marketing issue. Saying labeling is needed because of recent cases of BSE, for example, is bogus—especially since this particular disease does not occur in the muscle cuts we consume!

I have also heard concerns from many of my constituents in North Carolina about this issue. I can tell you that not one of them has said this law will bring them additional revenue or market advantages. They all express their deep concern that this law will instead cause significant burdens and headaches in order to be in compliance with the law.

Having participated in the hearings and listening to the worries of my constituents, I firmly believe a voluntary approach is a better solution. I am pleased to cosponsor the Meat Promotion Act introduced by Agriculture Committee Chairman GOODLATTE which requires the Secretary of Agriculture to establish a voluntary program for labeling meat and meat products. I believe this legislation better fits the true intent of country-of-origin labeling—to maximize producer benefits and avoid the costs and regulatory intrusions that a government-mandated program would entail.

Unfortunately, a ''Fire, Ready, Aim'' approach led to the creation of the current mandatory country-of-origin labeling law. This issue clearly needs further attention and delaying the implementation of the law for meat and meat products is a step in the right direction. I would like to reiterate that the provision included in the agriculture appropriations bill only affects meat and meat products.

I urge my colleagues to support the appropriations bill and reject the Rehberg-Hooley amendment.

Mr. REHBERG. Mr. Chairman, I yield back the balance of my time.

Ms. DELAURO. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Montana (Mr. REHBERG).

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

Mr. REHBERG. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Montana (Mr. REHBERG) will be postponed.

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

Mr. Chairman, last night I went before the Committee on Rules to seek the ability to offer an amendment to the bill today that would have given the Food and Drug Administration, the FDA, two critically important new authorities to improve the agency's drug safety operations. It would have given FDA the authority to require drug companies to conduct post-marketing studies of FDA-approved drugs and the authority to mandate changes to the labels of FDA-approved drugs. But the Committee on Rules would not allow the amendment.

Almost every week we hear about another unsafe drug and the significant harm that those drugs are doing to millions of people. Yet Congress has done nothing. The most recent case is the cholesterol-lowering drug Crestor, which a recent study found is significantly more likely than other drugs in its class to cause muscle deterioration that can lead to kidney disease and kidney failure.

Flip through the headlines of the last few months, and we will see many more examples. Of the two most significant drug failures of the last year, they are antidepressants and Vioxx. For years, evidence was building that antidepressants seem to cause an increased rate of suicide among users,

particularly young people. The FDA, however, failed to heed this evidence and delayed taking any action for years because the agency said it did not have enough data to do anything about these reports of suicide.

The reason for this was FDA could not order the drug companies to conduct further clinical trials after a drug is approved. When the agency finally did have enough data back in 2003, it first sought to hide it but eventually told antidepressant makers that there needed to be a warning on suicide. However, it took more than 9 months before that warning was placed on any drug label because the FDA had to negotiate with the drug companies over the label's wording. Patients went 9 extra months without knowing all the risks.

Vioxx was finally removed from the market last September because it increased the risk of heart attacks and strokes. Notably, it was the drug manufacturer, Merck, that removed the drug, not the FDA. An estimated 90,000 to 140,000 Americans suffered heart attacks and strokes as a result of Vioxx. Of these, 30 to 40 percent, or as many as 60,000 people, probably died.

Dr. David Graham, a heroic doctor at the FDA, put these numbers into perspective when he testified before the Senate Finance Committee last November. He compared the number of heart attacks and strokes caused by Vioxx to plane crashes. Dr. Graham stated the Vioxx numbers are the equivalent of two to four airplane crashes every week, week in and week out, week after week, for the past 5 years. If it really were planes that were crashing, then the Congress would be doing something about it. Yet we have done nothing to empower the FDA to prevent another Vioxx.

FDA knew about the dangers of Vioxx more than 5 years ago, and in 2002 the agency decided Vioxx's label needed to have a warning about the increased risk of heart disease. Yet it took nearly 14 months before that warning was added to Vioxx's label because the FDA again had to negotiate the wording with the drug company. FDA could not simply tell Merck that its label must say Vioxx causes increased risk of heart attacks and strokes. Nor could FDA order Merck to conduct a new clinical trial about Vioxx's safety when the FDA learned of other studies indicating safety problems.

□ 1445

My amendment would change that. These commonsense changes are nearly universally accepted by patient safety organizations, endorsed by nearly every major medical journal, and even by a few drug companies. FDA's own director of the Office of New Drugs has said she believes it would be extremely helpful for the agency to have these powers and authorities. They are also endorsed on a bipartisan basis, including by Senators CHARLES GRASSLEY and THAD COCHRAN, who have cosponsored a bill that would do almost exactly what I am proposing today.

These changes cannot wait to happen. They cannot wait any longer. Delay is going to cost lives, many lives, tens of thousands of lives in all probability. The amendment should have been made in order by the Committee on Rules, and I am asking the House now today to make this amendment in order. This amendment needs to be considered by the full House of Representatives, and it needs to be considered for no other reason than because by not considering it, we are placing hundreds of thousands of people across this country in dire jeopardy.

We need a Food and Drug Administration that can deal with the drug companies and with the medical manufacturing establishments that it allegedly regulates, deal with them in an effective way, so that we can have true regulation on behalf of the safety and security of the American people, which we do not have today and which this Congress has refused to bring about.

So I am taking this opportunity, Mr. Chairman, to bring this amendment to the floor of the House. I want this amendment considered, and I hope that every Member of the House will see it his or her duty to adopt this amendment today.

AMENDMENT OFFERED BY MR. HINCHEY

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

The Clerk read as follows:

Amendment offered by Mr. HINCHEY:

At the end of the bill, insert after the last section the following:

SEC. 7____. (a) POSTMARKET STUDIES.—Chapter V of the the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 351 et seq.) is amended by inserting after section 505B the following section:

"SEC. 505C. POSTMARKET STUDIES REGARDING SAFETY OF DRUGS; PHASE 4 STUDIES.

''The Secretary may require that the manufacturer of an approved drug conduct one or more studies to confirm or refute an empirical or theoretical hypothesis of a significant safety issue with the drug (whether raised with respect to the product directly or with respect to the class of the product) that has been identified pursuant to—

''(1) the MedWatch postmarket surveillance system;

''(2) a clinical or epidemiological study;

''(3) the scientific literature;

''(4) a foreign government that regulates drugs or devices;

''(5) an international organization concerned with the safety or effectiveness of drugs or devices; or

''(6) such other sources as the Secretary determines to be appropriate.''.

(b) ORDER REGARDING POSTMARKET LABELING.—Section 502 of the the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 352) is amended by adding at the end the following:

''(x) If it is a drug and the Secretary determines that its labeling fails to provide information, including specific wording, required by the Secretary by order on the basis that the information is necessary to ensure its safe and effective use.''.

Mr. BONILLA. Mr. Chairman, I reserve a point of order against the gentleman's amendment.

The CHAIRMAN. The gentleman from New York (Mr. HINCHEY) is recognized in support of his amendment.

Mr. HINCHEY. Mr. Chairman, I know that this issue is controversial. I know that there are Members of the House who really do not want to address it this afternoon. But we should put that aside. We should put it aside because the safety and security of the American people are at stake here.

The Food and Drug Administration was established by this Congress in order to ensure that pharmaceuticals and subsequently various forms of medical devices and other materials which are used by people who are ill, that those devices and materials can be used by people in a way that is safe and secure and sound. But the fact of the matter is that that is not happening, and we have the ocular proof in front of us every single day.

I mentioned a few moments ago the situation of antidepressants. These antidepressants came on the market without proper, careful review; and in addition to that, they began to be marketed for off-label uses. As a result, large numbers of teenagers, young people, people in their twenties, began to use them when they should not have been using them, and the usage of those antidepressants induced suicidal potential in those people, and many of them carried it out. Many, many people took their lives in direct relationship to the use of those antidepressant drugs.

When that became apparent, the Food and Drug Administration was not able to deal effectively with the drug manufacturers because they did not have the authority. They do not have the authority to tell the drug manufacturers that when a problem becomes evident after the drug is on the market that the drug company should, at the very least, change the label, put information on the label that tells people this kind of experience has been shown to happen by this group of people so that people can be warned about it and therefore not be likely to take it and so that doctors can understand that and not be likely to prescribe it.

That simple act would save the lives of tens of thousands of people. Failing to do it almost inevitably is going to cost the lives of tens of thousands of Americans, because it will not be much longer before we see another antidepressant situation or Cox-2 inhibitor situation, Vioxx situation, come on the market if we do not change the rules, if we do not give the FDA the power to deal effectively with these drug manufacturers.

The Vioxx case is a very clear, strong case in point. After a certain period of time when that drug was on the market, it became obvious that people who were taking it were suffering strokes and/or heart attacks. The FDA, when it became aware of that, was not able to do anything effectively about it. They did not even ask the drug company to take the drug off the market.

Finally, Merck came to the table and properly removed Vioxx from the market, but only after hundreds of thousands of people in this country were seriously affected, and we estimate at least 60,000 people lost their lives, and the number may be higher than that; and all of that began to get the attention of the press and people across the country began to understand it.

Now, for God's sake, what are we doing here? Are we just going to stand by idly while these circumstances continue to happen, while more and more drugs come on the market, week after week, month after month, while more and more people take them without understanding the implications and more and more people suffer, even die, as a result of that?

This Congress has the responsibility to act. We need to make that Food and Drug Administration live up to its responsibilities. And by simply saying in a technical way that, no, we cannot do it today, that does not meet the need, not by any stretch of the imagination.

This amendment needs to come to the floor, and this amendment needs to get the kind of attention that it properly deserves on behalf of the safety and security and the lives of the American people and to be adopted.

So I move the amendment, and I ask my colleagues to embrace it today. Vote for it; support it. Let us pass it this afternoon.

POINT OF ORDER

Mr. BONILLA. Mr. Chairman, I make a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. BONILLA. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and therefore violates clause 2 of rule XXI. The rule states in pertinent part: ''An amendment to a general appropriations bill shall not be in order if changing existing law.''

This amendment directly amends existing law.

I ask for a ruling from the Chair.

The CHAIRMAN. Does any Member wish to be heard on the point of order?

Mr. OBEY. Mr. Chairman, I would like to be heard on the point of order.

Mr. Chairman, it is hard for me to believe that the rules of this House do not help ensure that the people we represent can trust their government. It is hard for me to believe that the rules of the House would mean that this House can busy itself telling other people how they should deal with end-of-life issues for dear ones, telling independent courts that they should not be quite so independent, and yet would not allow the supposedly greatest legislative body in the world to deal with a direct obligation of government, which is to ensure the public safety of the American people.

This amendment would be in order if no Member objects to it. The Committee on Rules, as I understand, when they passed out the rule from the Committee on Rules, they did not protect this amendment under the rule. That does not mean that it cannot be considered by the House. The House can only avoid dealing with this issue if a Member chooses to block the House from acting on it.

Mr. Chairman, I would urge the gentleman from Texas to withdraw his point of order so that we can vote on this most crucial issue. But if the gentleman does not withdraw his motion, then I would, reluctantly, as I am sure would the sponsor of the amendment, have to concede the point of order.

The CHAIRMAN. Does any other Member wish to be heard?

Ms. DELAURO. Mr. Chairman, I wish to speak on the point of order.

Mr. Chairman, I want to echo my colleagues' comments, because I think that we have an obligation. In my opening comments, I said that I believed that this bill is about what the House of Representatives and Members who are part of this effort have been asked to do, and we have been asked to protect the public interest on a whole variety of measures, and, in this case, we are talking about life and death.

The CHAIRMAN. The gentlewoman must confine her remarks to the point of order.

Ms. DELAURO. Mr. Chairman, it would seem to me that the regular order of the House would be to allow legislation that in fact meets the definition or the goal of the mission that we have been entrusted with. I wish that the Committee on Rules would have made this amendment in order because it is so critical to public safety.

I concur with my colleague when he says if it is not made in order, then we have to concede the point of order. But what we are conceding is the life and death of American people, and that is not the regular order.

The CHAIRMAN. The Chair is prepared to rule.

The Chair finds that this amendment proposes directly to change existing law. The amendment therefore constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained and the amendment is not in order.

AMENDMENT NO. 9 OFFERED BY MR. SCHWARZ of MICHIGAN

Mr. SCHWARZ of Michigan. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 9 offered by Mr. SCHWARZ of Michigan:

Add at the end (before the short title) the following new section:

SEC. 7____. It is the sense of Congress that the Secretary of Agriculture should use the transfer authority provided by section 442 of the Plant Protection Act (7 U.S.C. 7772) to implement the strategic plan developed by the Animal and Plant Health Inspection Service for the eradication of Emerald Ash Borer in the States of Michigan, Ohio, and Indiana.

Mr. SCHWARZ of Michigan. Mr. Chairman, CCC funds are transferred to APHIS because of foreign Animals, Pests & Diseases that have come into the United States and are destroying agriculture resources and products. Since this is a tight budget year and the dollars appropriated will not fully take care of the emergency situation of the spread of EAB and the millions of ash trees in need of more attention from the CCC and OMB.

Therefore, this amendment is a sense of Congress to support the requests of USDA and APHIS to fund the eradication program of EAB within Michigan before it spreads to other states.

Michigan has natural barriers which are the great lakes that provide a natural containment with this emergency eradication plan.

This is an emergency situation for our agriculture community and as with any invasive species, we continue to run in to the obstacle of funding from OMB. With this amendment we want the OMB to reconsider the severity of the EAB situation. This amendment is meant to suggest, in strong terms, that it is Congress's intent that the mechanism within this statute is to be used to meet the foreign pest emergency needs of Indiana, Ohio, Virginia, Maryland & Michigan.

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

Mr. SCHWARZ of Michigan. I yield to the gentleman from Texas.

Mr. BONILLA. Mr. Chairman, the gentleman has discussed this amendment with us and with the minority; and to forgo further debate, I would be happy to accept the amendment.

Mr. SCHWARZ of Michigan. Mr. Chairman, reclaiming my time, I thank the chairman and am delighted that he has decided to accept the amendment, and we will move on.

Ms. KAPTUR. Mr. Chairman, I rise in support of the Schwarz amendment emphasizing the intent of Congress that full funding for the control of Emerald Ash Borer must be provided. I had intended to offer an amendment emphasizing the need for emergency funding and thank Chairman BONILLA for his work with us on this issue, and with respect and appreciation knowing we still have much to work on will not extend floor debate today.

It is vital that we take action as quickly as possible to deal with control and containment this year. USDA, at the order of the Office of Management and Budget, has not been able to fully respond to the requests for funds from Ohio and Michigan. Ohio recently requested an additional $10.1 million that is needed immediately.

The Emerald Ash Borer was identified in Michigan in July, 2002. It has been in Michigan for perhaps five years, having come in packing material from Asia.

Since then, several counties in southeastern Michigan and now counties in northwestern Ohio have been infected with this creature. Literally billions of ash trees are at risk unless this creature is stopped. Regrettably, there is no known way to eradicate the insect without starving it from new wood sources. So as trees by the thousands are being cut down in our region.

As I said, the State of Ohio has recently asked the Department of Agriculture for an additional $10.1 million in emergency funding to

control the spread of this insect. This is in addition to the $11.6 million that was requested earlier this year, although USDA provided only $10.2 million. This is in addition to more than $50 million that has already been provided to Michigan to control the spread of the insect from its primary infestation site.

Mr. Chairman, Ohio needs more funding now to control this insect for which it bears no responsibility. Neighborhoods are being devastated in Ohio, as they already have been in Michigan. Businesses are adversely affected. Property values are being adversely affected. The longer we take the provide effective controls, the more damage will be caused, the broader the area of infestation will become, and the more it will ultimately cost to end this infestation.

I had planned to offer my own amendment calling for emergency use of funds to deal with this problem, even though I know that the bill already provides some funding for emerald ash control in the coming year—$14 million even though expert opinion suggests that we will need $55 million. Hopefully this money will come via the emergency route.

Chairman BONILLA and ranking member DELAURO, I thank you for your support. I want to work with you to secure the right level of funding to deal with this disease, as well as the many other invasive species pests that plague several states. They may be different in their makeup, but they are equally devastating to the communities they infest.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan (Mr. SCHWARZ).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. HINCHEY

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

The Clerk read as follows:

Amendment offered by Mr. HINCHEY:

Page 83, after line 19, insert the following section:

SEC. 7____. None of the funds made available in this Act may be used—

(1) to grant a waiver of a financial conflict of interest requirement pursuant to section 505(n)(4) of the Federal Food, Drug, and Cosmetic Act for any voting member of an advisory committee or panel of the Food and Drug Administration; or

(2) to make a certification under section 208(b)(3) of title 18, United States Code, for any such voting member.

□ 1500

Mr. HINCHEY (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. BONILLA. Mr. Chairman, I ask unanimous consent that debate on this amendment and any amendments thereto be limited to 30 minutes, to be equally divided and controlled by the proponent and myself, the opponent.

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

There was no objection.

The CHAIRMAN. The gentleman from New York (Mr. HINCHEY) will control 15 minutes, and the gentleman from Texas (Mr. BONILLA) will control 15 minutes in opposition.

The Chair recognizes the gentleman from New York (Mr. HINCHEY).

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

Mr. Chairman, my amendment would prohibit the Food and Drug Administration from appointing scientists who have conflicts of interest to FDA advisory committees. The amendment does not change current law; it simply makes sure that the FDA is adhering to current law.

The FDA is charged with protecting the public health and, to assist with this mission, the FDA relies heavily on advisory committees composed of outside scientists to guide the agency policy on the safety and effectiveness of drugs and medical devices when questions arise regarding those products. While the FDA is not bound by the decisions of these panels, the agency itself calls advisory committees one of its most important resources for helping to regulate the over 150,000 marketed medical products that the FDA oversees.

Because of the critically important nature of these committees, there should be no question as to whether the committee members are looking out for the public health. But recent FDA actions have created serious doubts about whether committee members are serving only the public interests and, as a result, industry biases now taint many advisory panel decisions.

Over the past few years, the FDA has routinely waived conflict of interest prohibitions and appointed scientists with direct conflicts of interest to serve on these critical public panels. These appointments completely undermine the objectivity of this outside advice and bias the committee's recommendations, which are reached by a vote of the panel members, some of whom have financial ties to the products being reviewed by that very same panel.

There have been numerous high-profile examples of this over the past 18 months. Just this past April, for example, the FDA convened an advisory committee to examine whether or not to allow silicon breast implants back on the market. That committee contained a scientist who had just recently made a promotional video for a manufacturer of those implants.

Two months prior to that, the FDA convened an advisory panel to review the safety of Cox-2 inhibitors, drugs like Vioxx, which have caused tens of thousands of heart attacks and strokes. Ten of the 32 scientists on that panel had direct financial links to the manufacturers of those drugs. When it came time for the committee to make its recommendations, those ties made all the difference. Without the votes of the ten conflicted scientists, two of those three drugs and the Cox-2 inhibitor class would have been voted down by the panel, instead of receiving the very narrow support and approval they did as a result of those conflicted scientists' votes.

Last year, when there was a huge controversy around the link between antidepressants and suicide, especially among young people, the FDA convened an advisory panel to make recommendations on how the agency should handle those drugs. Three of the 11 scientists on that committee had been paid consultants to the manufacturers of those antidepressants.

These examples are just the tip of the iceberg. Advisory panels on OxyContin, oncology drugs, even over-the-counter athletes' foot creams, all had scientists with conflicts of interest. Almost every advisory committee meeting begins with an FDA statement waiving the conflicts of interest of some of the scientists on that panel.

If you think that scientists who rely on drug companies for their financial wherewithal are going to recommend that the FDA take action that will harm the company that is paying them, then you are living in a fantasy world.

The FDA claims that it cannot find enough qualified scientists without conflicts of interest to fill its advisory committees. This statement is laughable on its surface and an insult to the thousands of independent doctors across this country. It is also not accurate. As the medical journal, The Lancet, recently editorialized, ''It is hard to believe that in a country with 125 medical schools, not to mention the pool of international experts, the FDA cannot find experts who do not have financial ties with companies whose products are under review.'' Of course, the FDA can find scientists without conflicts of interest. They just do not want to do it, and they are not doing it.

Advisory committees are critical parts of the FDA's regulatory scheme, and they should be free of any direct conflict of interest. Without this, there is no way to assure the public that a panel's recommendations are fair and unbiased and in the interest of the public health.

After one of the most tumultuous years in the FDA's history, this amendment is needed to restore the public's confidence and integrity that has been lost in the FDA's advisory system. A wide range of public health groups support this amendment, and numerous recent editorials have called for this kind of reform. I urge all of my colleagues to support this amendment.

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

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

Mr. Chairman, I rise in opposition to the amendment. Let me explain what this extreme restriction on the Food and Drug Administration would do. The amendment would not allow funding to grant conflict of interest waivers for any Food and Drug Administration advisory committee. The effect would

be that the top experts in the field of vaccine research or cancer treatments or cardiac devices would not be able to advise the Federal Government about vaccines, biological products, medical devices, and drugs.

The conflict of interest waivers exist so that the most knowledgeable scientists, the ones you would want to consult if your own family was ill, can advise government agencies. These top scientists are few in number and very specialized. Most of them have worked in research sponsored by industry at some point in their careers. We in Congress devised this waiver system so that such experts could serve the government when the need for their services outweighed the potential of conflict of interest due to financial ties to the industry.

Since many fields of research are specialized and unique, the conflict of interest waivers are necessary. The granting of a waiver is not pro forma but a measured decision by an impartial party. In some cases, waivers are granted only for participation in the advisory group discussion, and the individual is not permitted to vote on the advisory committee recommendation.

I would also like to draw the attention of my colleagues to the term ''advisory.'' Advisory committees make recommendations to FDA but do not vote on product approvals. Product approval decisions are made by federally employed scientists.

I would ask my colleagues not to cripple the advisory committee system by making it impossible to recruit the appropriate level of scientific expertise. Please vote no on this amendment.

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

Mr. HINCHEY. Mr. Chairman, I yield 2 minutes to the gentlewoman from Connecticut (Ms. DELAURO).

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

I rise to speak on the Hinchey amendment to require that the FDA stop waiving conflict of interest revelations by their advisors and to start to make an affirmative search for scientists who can give unconflicted advice to this critically important agency.

Unfortunately, there is abundant evidence that scientists are being invited onto and accepted onto these committees, even when they tell the FDA that they have a conflict. They are permitted to serve, regardless of conflict. This must stop.

Other agencies, such as the NIH, have regularly found unconflicted, fully qualified professional advisors so that the agency can receive the best, unbiased advice possible.

I am mindful that there may be scientists whose expertise deserves to be presented to an advisory committee, and nothing in this amendment, as I understand it, precludes these individuals from being asked to testify before a committee.

When enacted, this amendment will also start to contribute to and rebuild the credibility of the actions of FDA. We cannot have even the aura of influence by the pharmaceutical industry or other regulated industries when it comes to the FDA.

Surely, in a country that is renowned for its scientific and medical expertise, I think we have 125 medical schools in the United States, that it is possible to find scientists without conflicts of interest to advise the FDA and to protect the public health.

I urge support for the Hinchey amendment.

Mr. HINCHEY. Mr. Chairman, can I inquire as to how much time is remaining?

The CHAIRMAN. The gentleman from New York has 8 minutes remaining.

Mr. HINCHEY. Mr. Chairman, is there anyone on the other side who wishes to speak on the amendment?

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

The CHAIRMAN. The gentleman from Iowa has 13 minutes remaining and reserves the balance of his time.

Mr. HINCHEY. Mr. Chairman, I yield 2½ minutes to the gentleman from Arkansas (Mr. BERRY).

Mr. BERRY. Mr. Chairman, I thank the gentleman from New York for yielding me this time.

As I hear this discussion move forward, I find it nothing short of absolutely amazing that anybody can rise to defend the current system.

The pharmaceutical industry in this country is corrupt from top to bottom. They have corrupted the Food and Drug Administration. They have corrupted academia to the point where they pay anybody that might ever issue an opinion about any of their products, and this continues to get worse day by day. We have evidence to all of these things, and it is absolutely and utterly ridiculous that we do not hold FDA accountable to provide a system of unbiased opinions so that the American people can get a safe product. We have seen the results of this corrupt system and the willingness of our own government to allow the pharmaceutical industry to continue to rob our own people, and it goes on and on and on. It is wrong. It does not make any sense. It puts the public health at risk.

We just had a big debate on whether or not to label meat and where it comes from. We know what these drugs will do, we have plenty of people that know what they will do, and when we put the information out there, anybody can figure it out. You do not have to be all broke out in brilliance to know when this stuff is bad. But when you are on the payroll of these companies, folks just kind of seem to have a little trouble saying, this is a terrible drug and we do not want to put it on the market. It is a bad idea.

I am the only registered pharmacist in the United States Congress, and it is astounding to me to see what has happened to this industry in the last 30 years and the willingness for them to take advantage of the American people over and over and over again.

Mr. Chairman, if this body is going to do anything to serve the public health and welfare of our people on this day, we should pass this amendment, and I thank the gentleman from New York for courageously bringing it to the floor of this House.

Mr. LATHAM. Mr. Chairman, I continue to reserve my time.

Mr. HINCHEY. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan (Mr. STUPAK).

Mr. STUPAK. Mr. Chairman, I rise today in support of the Hinchey amendment, and I appreciate the effort he has been doing with these last two amendments, and I hope we will continue his work, because the amendment is very important. It will help us put a stop to the conflict of interests which actually weakens the drug approval process.

The FDA advisory committees are charged with ensuring that the medicines our families take are safe and effective.

□ 1515

Current law prohibits conflicts of interest between the members on the advisory committee and the companies whose drug is being examined by the advisory committee.

Though the FDA has the authority to waive this prohibition under certain limited circumstances, this exception has now become the rule, and too often the FDA places scientists with financial connections to the drugs they are examining on the advisory committees.

Conflicts of interest create disastrous consequences. In some cases, one-third of the advisory committee's appointees do part-time consulting work, research or own stock in the companies whose drugs they are considering. Such a committee approved the drug Vioxx. As many as 100,000 people have been injured by taking Vioxx. Had the members of the advisory committee with ties to the industry been removed, Vioxx would not have been approved.

Some will argue and some may argue that scientists with financial connections to the industry may still be unbiased. However, this week an article in the Philadelphia Inquirer reported that senior executives at Merck threatened to damage a Harvard researcher's career if he publicly lectured about the health effects of Vioxx.

In such an environment, where those who are trying to help protect our families are threatened by drug companies, it is inconceivable that advisory committee members can remain unbiased as they examine their part-time employer's drugs. The financial interests are too great, not only for those who sit on the advisory committee, but also the drug companies who produce these drugs, and do whatever they can to get them approved.

We have so much work to do in this area. The Hinchey amendment does not put any new requirements upon the FDA, merely enforces the law as is written; and this Congress should stand up and enforce the law as explained in previous Congresses.

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

I would like to note that in response to past amendments in the same effect, the Office of Government Ethics has said the government would be depriving itself of much of the best and most relevant outside expertise in many areas.

The amendment would prohibit waivers for financial interests that are so insubstantial, remote, or inconsequential that they are typically permitted, even for regular full-time government employees.

They went on to say, existing law strikes the correct balance between protecting the government from inappropriate conflicts of interest and recognizing the need for temporary experts who may have unavoidable conflicts in relevant fields of inquiry. I think those concerns are relevant to the Hinchey amendment before us and support a ''no'' vote on this amendment.

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

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

Mr. Chairman, I frankly find the arguments that have been presented against this amendment, in a word, incredible. They seem to me to be coming from the entities in our country, in our economy, that need regulation. It seems as if the words were written by them.

We have 125 medical schools in this country. We have a bevy of expert scientists who are capable of dealing with these kinds of issues. For anyone to stand on the floor of this House and say that you cannot construct a panel, an advisory panel to advise the Food and Drug Administration with regard to the safety and security of a particular drug without putting on that panel one-third of the members who are conflicted in their interests, who are being paid by the economic entities that are about to be regulated, or should be regulated, or who have done commercial advertisements for some of those entities, that you cannot construct a panel without having a third of the members with that kind of conflict of interest, is the most absurd statement I think I have ever heard uttered on the floor of this House.

We have scientific bodies throughout our government and throughout the private sector, throughout the National Institutes of Health, throughout any number of scientific organizations, who put together panels; and they are never obliged to include within those panels people who are conflicted in their interests with regard to the decisions that are going to be made by those panels. It is ridiculous, absurd to stipulate that you cannot construct a panel without having people with a conflict of interest.

I am just asking the Members of this body to tell the Food and Drug Administration that when you draw together a panel, do the same thing that other regulatory bodies do. Make sure that among the members of those panels, there is no one who is conflicted in their interests.

No one who is being monetarily compensated by the entity that is being regulated; in the case of the drug companies no one who is getting money from the drug companies, no one who is on the payroll of drug companies. That is all you have to do. It is a very simple thing. There are thousands of people to reach out to who are capable and qualified to come onto those panels and make those kinds of decisions.

To say that you cannot put together a panel without including in it one-third of the members who are conflicted in their interests is absolutely ridiculous.

And so, Mr. Chairman, I ask the Members of this body to do something that is in the best interests of the people of our Nation. Let us have a Food and Drug Administration that is actually carrying out its regulatory authorities as this Congress set them up to do.

Let us have an FDA that actually regulates the entities.

Mr. Chairman, I yield such time as she may consume to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Chairman, let me just ask a point of inquiry here. As I understand it, this amendment is for a year's duration?

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

Ms. DELAURO. I yield to the gentleman from New York.

Mr. HINCHEY. That is correct.

Ms. DELAURO. Does it not make sense that we try this to see what is workable? I mean, we are not talking about in perpetuity. Am I right in my assessment of that?

Mr. HINCHEY. The gentlewoman from Connecticut (Ms. DELAURO) is correct. This would simply be for 1 year. It is a trial, in effect; and we ought to put it in place.

Mr. LATHAM. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. HINCHEY).

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

Mr. HINCHEY. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York (Mr. HINCHEY) will be postponed.

AMENDMENT OFFERED BY MR. SWEENEY

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

The Clerk read as follows:

Amendment offered by Mr. SWEENEY:

At the end of the bill (before the short title), insert the following new section:

SEC. ____. None of the funds made available in this Act may be used to pay the salaries or expenses of personnel to inspect horses under section 3 of the Federal Meat Inspection Act (21 U.S.C. 603) or under the guidelines issued under section 903 the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 1901 note; Public Law 104–127).

Mr. BONILLA. Mr. Chairman, I ask unanimous consent that debate on this amendment and any amendment thereto be limited to 30 minutes to be equally divided and controlled by the proponent and myself, the opponent.

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

There was no objection.

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

Mr. Chairman, several weeks ago we passed on the floor here an amendment banning the slaughter of wild horses that had been sneaked into the omnibus bill by a substantial bipartisan vote.

This amendment I offer today is a supplement to that amendment, and one that we have sought a vote on, an up-or-down vote, for several years in this body. For that reason in particular, I want to thank the subcommittee chairman for affording us this opportunity.

The amendment essentially would end the use of taxpayer dollars to enable and subsidize foreign enterprises, largely operating in opposition to the vast opinion and support of United States citizens, and in fact the majority of States have outlawed the slaughter of horses for human consumption; and yet this process continues on.

Mr. Chairman, there has been a lot of misinformation spread about this issue. The opposition will say this amendment will lead to an increase in the abuse of horses, or horses running wild in our streets. Such statements are not true, and I want to offer some facts.

First of all, each year 65,000 horses are slaughtered in this country for human consumption in Europe and in Asia, not here, where they are sold as a delicacy.

Another 30,000 are trucked to Canada and Mexico for slaughter. Misstatement number one, that slaughter is the same as humane euthanasia, it is not, Mr. Chairman. Slaughter is not the same as humane euthanasia administered by a veterinarian. Euthanasia of horses is administered by lethal injection, whereas slaughter is administered by unskilled, untrained workers using the captive bolt. Many times this is administered improperly, causing unnecessary pain and suffering before death, and that is after these horses have been transported in excess of 1,000 miles in the most inhumane conditions perceived.

Misstatement number two, that if this legislation is successful, we will

cause an overpopulation of horses. Passage of this amendment will not cause an overpopulation of horses, since each year the numbers are this, about 690,000 horses die in the U.S., many of which are euthanized by licensed veterinarians.

Slaughter represents only 1 percent of the horses that die each year, and this would not result in overpopulation of horses as some have suggested.

Mr. Chairman, it is simply this: Americans do not profit from slaughtering horses. Horses are not bred in the United States for that purpose. This is an export-driven market. Foreigners eat our horses and foreign companies make money off the sale of the meat. This amendment simply says that the use of American taxpayer dollars to pay for the salaries and the work of USDA inspectors ought to stop, and those resources ought to be committed to making sure the food supply and the food chain here in this country are fully protected.

Let us stop this practice, a practice that flies in the face of generations of precedent here in Congress and strong opposition by the American public.

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

Mr. BONILLA. Mr. Chairman, I do rise in opposition to this amendment, and yield myself such time as I may consume.

The gentleman from New York (Mr. SWEENEY), for whom I have a great deal of respect, has worked on this issue for some time. I know he also has a separate legislating bill that he is trying to move through the process, where this issue and this whole topic could be more appropriately addressed through the authorizing committee.

This amendment will shut down an industry without having a hearing, or any due process. The amendment creates a crisis for animal health issues. It prohibits USDA from inspecting horses that may have West Nile virus, or vesicular stomatitis, both of which can affect other animals and humans if those horses are destined for slaughter.

The estimated cost to feed and care for 50,000 horses is at least 60 to $100 million per year. Who will pay, or will more horses go to the rendering plant instead? What is the real effect of this measure? There is no way of knowing, because it has not been vetted through the process.

Demand for the product will not change. Almost all of the meat from the U.S. is exported, and those countries will simply find another source. I oppose this amendment very strongly.

Mr. Chairman, I yield for as much time as he may consume to the chairman of the authorizing committee, the gentleman from Virginia (Mr. GOODLATTE).

Mr. GOODLATTE. Mr. Chairman, I rise in strong opposition to this amendment. This amendment is a piece of legislation that has been introduced by Members of the House that would ban horse slaughter in the country.

And, quite frankly, this legislation has been opposed by me and many others, but it is also a fact that this particular amendment is far worse than the legislation that the gentleman has offered for this reason: the principal concern stated by the gentleman from New York (Mr. SWEENEY) is that the manner of the transport and the actual slaughter of these horses is inhumane.

But this amendment would simply limit the inspection of the horses for the purpose of slaughter; does not in any way stop what his other legislation at least attempts to do, that is, the transport of the horses to Canada, Mexico or anywhere else for the purpose of slaughter. The effect of that then is that the inhumane transport and the slaughter itself continue, but the horses are transported far greater distances.

Now, the gentleman makes reference to the fact that this is only 1 percent of the horses that die each year. And he cites 65,000 as a figure. But I would suggest to the gentleman that he is way, way, way off on his numbers, because there are not 65,000 times 100 or 6½ million horses dying each year in this country.

With the average life expectancy of a horse of more than 25 years, that would mean that we have more than 150 million horses in the United States. We do not have anywhere near that number. So this percentage is a far higher percentage.

That gives rise to the concern raised by the gentleman from Texas (Mr. BONILLA) and many others that you are going to have hundreds of thousands of unwanted horses, perhaps at the rate of as many as 50,000 a year according to the American Veterinary Medical Association. At a cost of $2,000 per horse to take care of them, that is a hundred million dollars times the average life expectancy that would remain in the lives of these horses if they were not sent to slaughter.

If that average is 10 years, you are talking about a billion dollars after you get 10 years out from now in terms of having to support and take care of these horses.

Now, the gentleman says no problem with that, but the evidence is pretty sparse that there will not be any problem with that because no country anywhere ever, ever has banned the slaughter of horses. That is what his amendment would accomplish.

□ 1530

So I suggest that that is a very, very bad idea with far-reaching complications.

I am not by any means alone in this concern. More than 60 reputable horse organizations, animal health organizations, and agricultural organizations have banded together to oppose this amendment, and they are some of the most respected people who own horses and take care of horses in the United States. The American Quarter Horse Association, the largest association of horse owners in the world, strongly opposes this amendment. The American Painted Horse Association, the second largest association of horse owners, opposes this amendment. More than a dozen State horse councils, including the New York State Horse Council and the Virginia State Horse Council, oppose the gentleman's legislation.

It is also opposed by those who take care of the health of our horses, very respected organizations like the American Veterinarian Medical Association, the American Association of Equine Practitioners. More than 7,000 horse doctors, the people who take care of horses themselves, are concerned about the implications of what this amendment will have if it is allowed to go into effect and ban the slaughter of horses.

Now, I do not believe anybody in this room eats horses. What this is about is what is the best approach for the humane treatment of horses, and the American Veterinarian Medical Association and the American Association of Equine Practitioners recognize the method by which horses are slaughtered in the United States as a humane method of euthanasia of disposing of horses.

So the bill does not prohibit other means of deposition of horses. If people still want to put down their horse by some other means, it does not stop them from doing that. It will simply stop the proper inspection of these horses, which, as the gentleman from Texas correctly notes, will deprive us of a lot of useful information that will be gathered by those veterinarians about diseases and so on that will confront these horses if indeed they do not get properly inspected and they have serious diseases.

Other organizations that oppose this: The American Farm Bureau opposes this legislation. The American Meat Institute opposes this legislation. The Equine Nutrition and Physiology Society opposes this legislation. The Animal Welfare Council opposes this legislation. The National Horse Show Commission opposes this legislation. Organizations that represent literally millions of horse owners in this country and elsewhere around the world oppose this legislation because of their concern, not about whether somebody is eating horses or not but whether or not these horses will be treated humanely if they are not allowed to go through the process they go through today.

So I urge my colleagues to oppose this amendment. It is not in the best interest of America's horses, it is not in the best interest of America's horse owners, and it is not in the best interest of the fiscal concerns that we must have if we are confronted down the road with the possibility of having to take care of these many, many horses.

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

Mr. Chairman, let me quickly respond to some of the information that has been put out there.

First of all, on the cost end of it, CBO said already this is a cost-neutral proposition. In fact, it is my contention that it will give the USDA extra resources to do the job of protecting the American food chain.

Secondly, we talked about the failure of a lack of a hearing. We looked for a hearing for 2 years. That necessitated bringing this legislation.

Finally, if we are simply going to get into a debate over which organizations support it, there are vastly more organizations, some of the most preeminent experts in the horse industry who support this legislation, including Congress's top veterinarian, Senator ENSIGN, who is introducing a counterpart bill in the Senate.

Mr. Chairman, I yield 3 minutes to the gentleman from South Carolina (Mr. SPRATT).

Mr. SPRATT. Mr. Chairman, first question, what is the effect of this amendment?

This amendment in simple terms will stop the slaughter or human consumption of horses, the meat of which will be exported to foreign countries. It does not stop, affect or any way impede euthanasia by veterinarians. It stops the brutal slaughter at slaughterhouses. Sometimes horses are jacked up by their hind legs and have their throats slit. This is the kind of slaughter that this bill will prohibit so that the meat can be exported to Europe and other places.

Secondly, who is affected? Slaughterhouses in two States. That is it. Three different slaughterhouse locations in two States. That is it. Those are the net effects because, you see, Americans do not eat horse meat.

These horses are not slaughtered in this country, 65,000 last year, for consumption here. They are slaughtered for consumption in Europe and Asia, and 35,000 were not trucked to Mexico and Canada only to be euthanized there. They were shipped there to be slaughtered. So this affects foreign consumers of American horse meat. That is all. No Americans are affected, and only three plants in two States are actually affected.

Who is for it and who is against it? I will leave this 7-page memorandum which shows individuals, organizations, horse raisers, horse racers, horse farmers, horse lovers of all kinds who support it, including a substantial number of veterinarians. Seven pages long, that is how many people are in favor of it.

Next question: What do we know about the consequences of this? What happens when you stop the slaughter of horses at, albeit, just three plants? Well, we know from practical experience in five States, including California, the largest State for the last 7 years, this law has been in effect Statewide in California and four other States and in California since 1998. What has been the effect? Have there been horses that have been left for neglect, derelict horses? No, there have been no effects. Have there been horses that have been too numerous to be euthanized? No. Practically, in the five States that have implemented this law, there has been no effect whatsoever.

Finally, what is the legislative history of this bill? The legislative history is we filed a bill like this in the last Congress. We filed it again in this Congress. In the last Congress, after we put on an effort to win support for it, we collected 225 co-sponsors. We never had a hearing. We were entitled to one. So we come here today using a different parliamentary procedure.

But this bill has been thoroughly exposed, thoroughly supported, thoroughly argued for and against; and today we are entitled to this vote on the House floor. And if the 225 Members who have supported our bill in the past come forward, we will see that the will of the House is that this becomes the law of the land.

Mr. BONILLA. Mr. Chairman, I yield 2 minutes to the gentleman from Iowa (Mr. KING).

Mr. KING of Iowa. Mr. Chairman, I thank the chairman for yielding me time, and I appreciate the opportunity to say a few words on this issue.

As I listen to this debate and I am listening to the points that are being made by the other side, and, by the way, I rise in opposition to the Sweeney amendment, one of the questions that has not been answered here is what is the distinction between a steer, a hog, and a horse? Why would we elevate the horse to a level beyond that of another animal? Does it have a certain intrinsic value that distinguishes it?

That is something that I would like to hear, but I think it is important for the people who own horses to manage their horses.

Another question is, should horses be eaten? I have not really heard the answer to that. I know they do that in other places of the world. I have never eaten a horse. I had some zebra in Africa last year and, actually, it was the best meat I had on the continent. I never felt the desire to eat a horse, but they do that in other countries.

We have a horse herd that needs to be managed. Whatever that is, whether it is a 1 percent, a 2 percent or a 10 percent of the herd that is slaughtered, all of it does something that allows them to cull out the herd. It saves those horses from disease and starvation. And if you have seen those horses as I have in dry lot that were not taken care of, you do not want to turn these horses over to the people who do not have the means to take care of them.

But the U.S. horse herd should be managed. We should be humane with our animals. We should treat them well and give them veterinarian treatment, and those that do not fit into the plans need to be managed and taken care of and euthanized.

Now there is also the address made that we are doing this for foreign interests, that this is for the interests of foreign markets and foreign palates. We have a balance of trade that is now a minus $617 billion a year. What is wrong with marketing American products that help that, reduce the deficit in the balance of trade? And, by the way, if it is the euros that come from France, that is okay with me. I think that is a great way for us to start to repair the balance of trade.

Another thing we cannot do is set up a species in this country that sets it up as a sacred species. American horses cannot be turned into sacred cows by the Sweeney amendment.

Mr. SWEENEY. Mr. Chairman, how much time remains?

The CHAIRMAN. The gentleman from New York (Mr. SWEENEY) has 8½ minutes remaining. The gentleman from Texas (Mr. BONILLA) has 6 minutes remaining.

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

Mr. Chairman, let me quickly answer my good friend, the gentleman from Iowa (Mr. KING) by saying 2 things. When Ferdinand, the great horse champion, was sold for slaughter, he was marketed as ''eating an American champion.'' There is a distinction there.

Number two, I would ask how many zebras, how many cows do we know the names of? We know the names of many horses, and the fact is horses are not raised in this Nation for human consumption.

Mr. Chairman, I yield 4 minutes to the gentleman from Kentucky (Mr. WHITFIELD).

Mr. WHITFIELD. Mr. Chairman, I want to commend the gentleman from South Carolina (Mr. SPRATT) and the gentleman from West Virginia (Mr. RAHALL) and the gentleman from New York (Mr. SWEENEY) for bringing this amendment to the floor.

I would point out that we hear a lot from the American Equine Veterinarian Practitioners and the American Quarter Horse Association about their great concern for these horses, and yet there are hundreds of organizations in the country today who provide funding through their foundation to provide retirement homes for unwanted horses. Yet I am not aware that the American Equine Veterinarian Practitioners do that through a foundation, nor the American Quarter Horse Association, nor do they do it through a foundation; and they are the most prolific breeders of any breed in the country.

I will also say we are talking about two foreign-owned companies here, one owned by a French family, one owned by a Belgium family. They are the only ones slaughtering horses in America.

In addition to that, the Attorney General of Texas, who is now a U.S. Senator, wrote a legal opinion while he was Attorney General stating that it was illegal to slaughter horses in Texas. And yet, despite that, the slaughterhouse brought a lawsuit, and that case is now pending in U.S. District Court.

The Mayor of Kaufman, Texas, where one of plants is located, has written a letter to us urging us to try to shut these plants down because of their consistent violation of environmental laws.

But one of the things that is most difficult about this process is that, first of all, I think everyone would agree horses have not been raised for slaughter. Unlike cows, pigs and chickens, they have not been raised for slaughter.

When you take a cow, pig, chicken or whatever to an auction house you know it is going to be slaughtered. But many people when they take a horse to an auction are unaware because there is a lack of disclosure. In fact, there is an effort made to conceal that self-described ''killer buyers'' are at the auction house and they take the horses to slaughter.

Then the process of the captive penetrating bolt being administered by low-skilled workers, low-paid workers who frequently have to do it two or three times before the horse is stunned and then his throat is slit, I would dare to say that is not humane. Now the leadership of the American Equine Practitioners say that it is humane. But if you talk to individual veterinarians, they would take controversy with that.

For every page of supporters opposing this legislation, we have pages of entities and individuals and organizations that support this legislation. And I might add a few of them that support it.

We have the owners of the last 12 Kentucky Derby winners supporting it. We have the National Thoroughbred Racing Association supporting it. We have the Thoroughbred Owners and Breeders Association supporting it. We have the New York Racing Authority supporting it. We have Churchill Downs supporting it. I could go on and on and on. But, most important, we have an inconsistent policy in the U.S. Government today on this issue. We prohibit sending horses out of America by sea for the purpose of slaughter, and yet we allow them to be slaughtered in the United States.

So it is an inconsistent policy. There is a lack of disclosure at the auction house. And when California banned horse slaughter, the only thing that they found was that, one, horse theft went down and horse abuse and neglect did not go up.

□ 1545

With that, I would urge the support of the Sweeney amendment.

Mr. BONILLA. Mr. Chairman, I yield for as much time as he may consume to the gentleman from Virginia (Mr. GOODLATTE), chairman of the authorizing committee.

Mr. GOODLATTE. Mr. Chairman, I thank the chairman for the time.

I want to respond to a few of the remarks made by the gentleman from Kentucky and the gentleman from New York.

First of all, he talked about an inconsistent policy because we do not allow horses to be shipped overseas for slaughter purposes by boat. We do nothing to stop that from being done with regard to transport to Canada or Mexico. The fact of the matter is this amendment does not stop it.

So when my colleagues talk about the humane treatment of horses, this amendment is going to result in more inhumane treatment of horses if that is their guide, because they are going to be shipped greater distances to Canada and Mexico because they cannot be sent to slaughter facilities in the U.S.

Second, the gentleman from New York makes reference to the great racehorse Ferdinand, like this amendment would have stopped Ferdinand from having gone to slaughter. It absolutely would not have. I did not like seeing Ferdinand go to slaughter, but Ferdinand was sold to a Japanese owner and exported not for slaughter purposes but for breeding purposes; and later on in Japan, he was slaughtered. This amendment will do absolutely nothing to stop that same situation from happening to any other racehorse in the world.

Thirdly, the gentleman makes references to just three slaughter facilities. That is not true either. There are other slaughter facilities for horses. For example, there is a slaughterhouse in Nebraska which solely slaughters horses for zoos and sanctuaries for big cats which would be essentially shut down by this amendment because horses provide the proper type of high protein diet for those animals, when they are not out racing across the savannahs, because beef simply is not good for cats, these large cats.

The gentleman from New York says it is budget neutral, but the fact of the matter is all he is talking about there is budget neutral in terms of this particular amendment not costing any money; but consequences of the amendment will cost a lot of money because this amendment does absolutely nothing to stop the many practices that occur in this country that create unwanted horses, everything from nurse mares in the thoroughbred racing industry, to Premarin mares to produce the drug Premarin, to the foals of those mares, to the fact that for every Smarty Jones that is created, there are hundreds and hundreds of unwanted racehorses who do not make the grade and other horses that are unsuitable for riding and other pleasure purposes or showing. Those horses, as well, will fall into that category of unwanted horses.

Nor does the amendment do anything to take care of all those unwanted horses as they start to accumulate in our society. We have already talked about the massive estimated costs that will take place as a result of that.

Finally, the gentleman from Kentucky talks about the facilities that exist that would take care of horses, and we have some of those facilities in the country today. This amendment does not establish standards of care that horse rescue facilities must meet.

The humane society of the United States, which supports the amendment, admits that equine shelters are less well-established than cat and dog shelters. Citing extreme costs and staff time needed to shelter horses, the humane society warned of needing to be aware of distinctions between sheltering horses and sheltering other companion animals. Current horse-rescue facilities are overwhelmed with the amount of horses they already care for without this amendment being in effect and are in desperate search of additional funding.

The American Association of Equine Practitioners estimated that in the first year alone of a slaughter ban 2,700 additional equine facilities would be needed to keep up with unwanted horses displaced by the ban, compounding the problem by adding additional facilities that will also be searching for additional funding.

This is a bad, bad idea. I know there is a lot of emotion that says this is a great thing to do. It is not and it is not in the best interests of the horses of this country to pass this amendment. I urge my colleagues to oppose it.

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

I just simply say, before I recognize, that the gentleman raises some interesting points; and I would hope that the authorizing committee could go to hearings in the near future.

Mr. Chairman, I yield 2 minutes to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Chairman, I thank my friends, the gentleman from New York (Mr. SWEENEY); the gentleman from South Carolina (Mr. SPRATT); and the gentleman from Kentucky (Mr. WHITFIELD).

What has become of us as a country, selling these horses off for horse meat to be eaten on the other side of our oceans?

The wild horse is an icon of American history. The gentleman from Iowa asked what is the difference between a horse and a steer and a hog? The horse is an icon along with the bald eagle. What is the difference between a bald eagle and a pigeon or a turkey? And if you do not know the difference, we cannot explain it to you.

Shakespeare once said that ''Horses are as full of spirit as the month of May and as gorgeous as the sun in midsummer''. Does everything have to be converted to the bottom line? There are so many alternatives to slaughtering these beautiful creatures that are on public lands. We used to have 1 million at the turn of the century. We are down to 35,000 wild horses on public lands. That is sad and wrong.

We have responsibility over these beautiful creatures. They ought not be cut up in such an inhumane way, and shipped overseas for people who want

to eat horse meat. That is not what we are about as a country. There are so many other alternatives.

We can use animal contraception methods. We could reopen over 100 herd management areas that the Bureau of Land Management has closed. We could start centers such as the one I saw this weekend, 61 horses brought from the wild West for adoption. They came from Nevada and Wyoming and California, beautiful creatures. People in the east coast are adopting them.

There are so many things we could be doing rather than selling these beautiful creatures for horse meat. We are not just about dollars and cents. We are about the things that made our country great. The wild horse is one of those things. It inspires poetry; and if my colleagues do not understand that, I guess we can't very well communicate why this is so important to us. But I trust the majority of this Congress knows what we are talking about.

Mr. BONILLA. Mr. Chairman, I yield back the balance of my time.

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

Before I recognize my final speaker to close, Mr. Chairman, let me just point out if it is about the bottom line, it is about making sure USDA inspectors inspect the American food chain and not foreign food chains.

Mr. Chairman, I yield the balance of the time to the gentleman from West Virginia (Mr. RAHALL).

Mr. RAHALL. Mr. Chairman, I thank the gentleman from New York for yielding me time, and I appreciate his leadership, as well as the gentleman from Kentucky (Mr. WHITFIELD) and the gentleman from South Carolina (Mr. SPRATT).

I want to remind my colleagues that this particular amendment, which is a funding limitation, however, is still very similar to an amendment that the House voted on shortly before we broke before the Memorial Day district work period. That particular amendment passed in an overwhelming fashion and in a bipartisan fashion. So this is truly bipartisan when it comes to recognizing how valuable the horse is to this country and what a symbol it is of our freedom and how important it is to recognize this truly American icon.

When Americans think of the horse, I do not believe they think of it in terms of foreign cuisine on the tables of countries around the European area.

This amendment has invoked a lot of emotion and misinformation. The opposition has said that this will increase the abuse of horses and horses running wild out West. Such statements are not true.

Here are the facts. Each year some 65,000 horses are slaughtered in this country for human consumption in Europe and Asia where they are sold in restaurants as a delicacy. Another 30,000 are trucked to Canada and Mexico for slaughter. This amendment will end that slaughter of American horses for human consumption overseas.

Slaughter is not the same as humane euthanasia administered by a veterinarian in a very controlled environment. Euthanasia of horses is administered by legal injection, whereas slaughtered is administered by unskilled, untrained workers using the captive bolt. Many times this is administered improperly, causing unnecessary pain and suffering before death.

Passage of this amendment will not cause an overpopulation of horses. Each year 690,000 horses die in the U.S. many of which are euthanized by a licensed veterinarian. Slaughtered horses represent only 1 percent of horses that die each year. This would not result in an overpopulation of horses as some suggest.

There are alternatives available. Americans do not profit from slaughtering horses. This is an export-driven market. Foreigners eat our horses and foreign companies make money, and we should stop looking at it in that perspective and start looking at it in the American perspective.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. SWEENEY).

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

Mr. SWEENEY. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York (Mr. SWEENEY) will be postponed.

Mr. BONILLA. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. KING of Iowa) having assumed the chair, Mr. RYAN of Wisconsin, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2744) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes, had come to no resolution thereon.

LIMITATION ON AMENDMENTS DURING FURTHER CONSIDERATION OF H.R. 2744, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2006

Mr. BONILLA. Mr. Speaker, I ask unanimous consent that during further consideration of H.R. 2744 in the Committee of the Whole pursuant to House Resolution 303, no further amendment to the bill may be offered except:

Pro forma amendments offered at any point in the reading by the chairman or ranking minority member of the Committee on Appropriations or their designees for the purpose of debate;

Amendments printed in the CONGRESSIONAL RECORD and numbered 3 and 6;

Amendment printed in the CONGRESSIONAL RECORD and numbered 5, which shall be debatable for 30 minutes;

An amendment by Mr. HEFLEY, regarding an across-the-board cut;

an amendment by Mr. TIAHRT, regarding regulations;

an amendment by Mr. BROWN of Ohio, regarding school food program;

an amendment by Mr. KUCINICH, regarding genetically engineered fish;

an amendment by Mr. KUCINICH, regarding BSE testing;

an amendment by Mr. WEINER, regarding minimum guarantees for agriculture funding for States;

an amendment by Mr. STUPAK, regarding FDA clinical trials;

an amendment by Mr. STUPAK, regarding FDA whistleblowers;

an amendment by Ms. KAPTUR, regarding Emerald Ash borer;

an amendment by Mr. GARRETT of New Jersey, regarding 213A of the Immigration and Nationality Act.

Each such amendment may be offered only by the Member named in this request or a designee, or the Member who caused it to be printed in the RECORD or a designee, shall be considered as read, shall not be subject to amendment except that the chairman and ranking minority member of the Committee on Appropriations and the Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies each may offer one pro forma amendment for the purpose of debate; and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

Except as otherwise specified, each amendment shall be debatable for 10 minutes, equally divided and controlled by the proponent and an opponent. An amendment shall be considered to fit the description stated in this request if it addresses in whole or in part the object described.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2006

The SPEAKER pro tempore. Pursuant to House Resolution 303 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2744.

□ 1600

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2744) making appropriations for Agriculture, Rural Development, Food and