

Ryan (OH) Skelton Towns  
 Ryan (WI) Slaughter Tsongas  
 Salazar Smith (NE) Turner  
 Sánchez, Linda Smith (NJ) Upton  
 T. Smith (TX) Van Hollen  
 Sanchez, Loretta Smith (WA) Velázquez  
 Sarbanes Snyder Vislosky  
 Scalise Souder Walden  
 Schakowsky Space Walz  
 Schauer Speier Wamp  
 Schiff Spratt Wasserman  
 Schmidt Stark Schultz  
 Schock Stearns Waters  
 Schrader Stupak Watson  
 Schwartz Sullivan Watt  
 Scott (GA) Sutton Waxman  
 Scott (VA) Taylor Welch  
 Sensenbrenner Teague Westmoreland  
 Serrano Terry Wexler  
 Sessions Thompson (CA) Whitfield  
 Shadegg Thompson (MS) Wilson (OH)  
 Shea-Porter Thompson (PA) Wilson (SC)  
 Sherman Thornberry Wittman  
 Shimkus Tiahrt Wolf  
 Shuler Tiberi Wu  
 Shuster Tierney Yarmuth  
 Simpson Titus Young (AK)  
 Sires Tonko Young (FL)

NOES—3

Flake Kingston Paul

NOT VOTING—12

Andrews Granger Sestak  
 Cleaver Hinojosa Tanner  
 DeFazio Melancon Weiner  
 Fudge Murtha Woolsey

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1920

So (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MOTION TO ADJOURN

Mr. MICA. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion to adjourn.

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

RECORDED VOTE

Mr. MICA. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 41, noes 369, not voting 22, as follows:

[Roll No. 496]

AYES—41

Bartlett Gohmert Pence  
 Barton (TX) Halvorson Price (GA)  
 Blackburn Hensarling Sensenbrenner  
 Boccieri Johnson (IL) Sessions  
 Boehner Johnson, Sam Shadegg  
 Broun (GA) Kilroy Shimkus  
 Campbell King (IA) Smith (NE)  
 Chaffetz Lamborn Souder  
 Coffman (CO) LaTourrette Thornberry  
 Connolly (VA) McHenry Tiahrt  
 Flake Mica Westmoreland  
 Foxx Miller, George Young (AK)  
 Garrett (NJ) Olson Young (FL)  
 Gingrey (GA) Paul

NOES—369

Abercrombie Adler (NJ) Altmire  
 Ackerman Akin Arcuri  
 Aderholt Alexander Austria

Baca Emerson Lummis  
 Bachmann Engel Lungren, Daniel  
 Bachus Eshoo L. E.  
 Baird Etheridge Lynch  
 Baldwin Fallin Mack  
 Barrett (SC) Farr Maffei  
 Barrow Manzano Manullo  
 Bean Filner Marchant  
 Becerra Fleming Markey (CO)  
 Berkley Forbes Markey (MA)  
 Berman Fortenberry Marshall  
 Biggert Foster Massa  
 Bilbray Frank (MA) Matheson  
 Bilirakis Franks (AZ) McCarthy (CA)  
 Bishop (GA) Franks (NY) McCarthy (NY)  
 Bishop (NY) Gallegly McCaul  
 Bishop (UT) Gerlach McClintock  
 Blumenauer Giffords McCollum  
 Blunt Gonzalez McCotter  
 Bonner Goodlatte McDermott  
 Bono Mack Gordon (TN) McGovern  
 Boozman Graves McHugh  
 Boren Grayson McIntyre  
 Boswell Green, Al McKeon  
 Boucher Green, Gene McMahan  
 Boustany Griffith McMorris  
 Boyd Grijalva Rodgers  
 Brady (PA) Guthrie McNeerney  
 Brady (TX) Hall (NY) Meek (FL)  
 Braley (IA) Hall (TX) Meeks (NY)  
 Bright Hare Michaud  
 Brown (SC) Harman Miller (FL)  
 Brown, Corrine Harper Miller (MI)  
 Ginny Hastings (FL) Miller (NC)  
 Buchanan Heinrich Hastings (WA) Miller, Gary  
 Burgess Heller Minnick  
 Burton (IN) Herger Mitchell  
 Butterfield Hereth Sandlin Mollohan  
 Calvert Higgins Moore (KS)  
 Camp Hill Moore (WI)  
 Cantor Himes Moran (KS)  
 Cao Hinchey Moran (VA)  
 Capito Hirono Murphy (CT)  
 Capps Hodes Murphy (NY)  
 Capuano Hoekstra Murphy, Patrick  
 Cardoza Holden Murphy, Tim  
 Carnahan Holt Myrick  
 Carney Holt Nadler (NY)  
 Carson (IN) Honda Napolitano  
 Carter Hoyer Neal (MA)  
 Cassidy Hunter Neugebauer  
 Castle Inglis Nunes  
 Castor (FL) Inslee Nye  
 Chandler Israel Oberstar  
 Clarke Issa Obey  
 Clay Jackson (IL) Olver  
 Cleaver Jackson-Lee Ortiz  
 Clyburn (TX) Jenkins Pallone  
 Coble Johnson (GA) Pascrell  
 Cohen Johnson, E. B. Pastor (AZ)  
 Cole Jones Paulsen  
 Conaway Jordan (OH) Payne  
 Conyers Kagen Perlmutter  
 Cooper Kanjorski Perriello  
 Costello Kaptur Peters  
 Courtney Kennedy Petri  
 Crenshaw Kildee Pingree (ME)  
 Crowley Kilpatrick (MI) Pitts  
 Cuellar Kind Platts  
 Culberson King (NY) Poe (TX)  
 Cummings Kingston Polis (CO)  
 Dahlkemper Kirk Pomeroy  
 Davis (AL) Kirkpatrick (AZ) Posey  
 Davis (CA) Kissell Price (NC)  
 Davis (IL) Klein (FL) Putnam  
 Davis (KY) Kline (MN) Quigley  
 Davis (TN) Kosmas Radanovich  
 Deal (GA) Kratovil Rahall  
 DeFazio Kucinich Rangel  
 DeGette Lance Rehberg  
 DeLoach Langevin Reichert  
 DeLauro Larsen (WA) Reyes  
 Dent Larson (CT) Richardson  
 Diaz-Balart, L. Latham Rodriguez  
 Diaz-Balart, M. Latta Roe (TN)  
 Dingell Lee (CA) Rogers (AL)  
 Doggett Lee (NY) Rogers (KY)  
 Donnelly (IN) Levin Rogers (MI)  
 Doyle Lewis (CA) Rohrabacher  
 Dreier Lewis (GA) Rooney  
 Driehaus Lipinski Ros-Lehtinen  
 Duncan LoBiondo Roskam  
 Edwards (MD) Loeb sack Ross  
 Edwards (TX) Lofgren, Zoe Rothman (NJ)  
 Ehlers Lowey Roybal-Allard  
 Ellison Lucas Royce  
 Ellsworth Luetkemeyer Ruppberger  
 Lujan Lujan Rush  
 Ryan (OH) Ryan (OH)

Ryan (WI) Slaughter Turner  
 Salazar Smith (NJ) Upton  
 Sánchez, Linda Smith (TX) Van Hollen  
 T. Smith (WA) Velázquez  
 Sanchez, Loretta Snyder Vislosky  
 Sarbanes Space Walden  
 Scalise Speier Walz  
 Schakowsky Spratt Wamp  
 Schauer Stark Wasserman  
 Schiff Stearns Schultz  
 Schmidt Stupak Waters  
 Schock Sutton Watson  
 Schrader Taylor Watt  
 Schwartz Teague Waxman  
 Scott (GA) Terry Welch  
 Scott (VA) Thompson (CA) Wexler  
 Serrano Thompson (MS) Whitfield  
 Shea-Porter Thompson (PA) Wilson (OH)  
 Sherman Tiberi Wilson (SC)  
 Shuler Titus Wittman  
 Shuster Tonko Wolf  
 Simpson Towns Wu  
 Skelton Tsongas Yarmuth

NOT VOTING—22

Andrews Hinojosa Sires  
 Berry Linder Sullivant  
 Buyer Maloney Tanner  
 Childers Matsui Tierney  
 Dicks Melancon Weiner  
 Fudge Murtha Woolsey  
 Granger Peterson  
 Gutierrez Sestak

□ 1936

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

GENERAL LEAVE

Ms. DELAURO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on H.R. 2997.

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

There was no objection.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

The SPEAKER pro tempore. Pursuant to House Resolution 609 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. 2997.

□ 1937

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. 2997) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes, with Mr. SNYDER in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Connecticut (Ms. DELAURO) and the gentleman from Georgia (Mr. KINGSTON) each will control 30 minutes.

The Chair recognizes the gentleman from Connecticut.

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

I'm delighted to present the 2010 Agriculture-FDA appropriations bill. I want to thank the ranking member, Congressman KINGSTON, for his collaboration and his input over the last few months. I thank both the minority and majority staff as well for their tireless work. Lastly, and especially not least, a special thank you to Chairman OBEY for his counsel and for the resources he provided to make this bill possible and for his leadership and vision to ensure that we can continue to get things done and achieve our goals.

We stand today at a turning point. Today, we're talking about people's lives—struck hard by an economy in chaos, facing shrinking services and struggling with rising prices and unemployment.

I believe the administration's budget demonstrates that it is interested, after years of underinvestment in the Federal Government's capabilities, in protecting public health, supporting American agriculture, strengthening rural communities, and conserving the environment.

This bill proposes new investments in these priorities and the agencies that can help us meet them, while making specific and sensible budget cuts where feasible.

As in recent years, the bill focuses on several key areas, such as: Protecting public health; bolstering food nutrition programs; investing in rural communities; supporting agriculture research; strengthening animal health and marketing programs; and conserving our natural resources.

The fiscal year 2010 Agriculture-FDA appropriations bill provides for almost \$23 billion in funding. It is an 11 percent increase over 2009 levels, the vast majority of which went toward three program areas: The WIC program, the FDA, and International Food Aid. Additionally, in order to make these important investments, to use the resources available to it wisely, the bill proposes a number of cuts totaling more than \$735 million.

To protect the public health, the bill provides a substantial increase for the Food and Drug Administration to support a total discretionary funding level of almost \$3 billion, or a 15 percent increase—almost \$373 million. That is to hire additional inspectors, conduct more inspections of domestic and foreign food and medical products. And, as many of us know, the FDA has been underfunded for far too long. This is not only a matter of public health and consumer safety, it is a matter of national and economic security.

Not all of the dangers that threaten the health and safety of American families can be found in airports, border checkpoints, or harbor containers. Sometimes they lurk in our refrigerators and on our kitchen table. From E. coli in cookie dough to salmonella in peanut butter, we have seen very real threats posed by food contamina-

tion in recent years. And we just cannot afford to neglect our food safety system any longer.

The FDA's primary responsibility is to the American people to ensure the safety of the food they eat, the drugs they take, and the medical devices they rely on. With this increased funding, they will have the resources and manpower they need to keep us safe.

In addition, the bill fully funds the administration's request for the Food Safety and Inspection Service at the USDA, the Department of Agriculture. It puts in over \$1 billion dollars for FSIS for the first time in history.

In terms of conservation, the committee makes a significant investment in USDA's natural resource conservation programs. The bill appropriates a total of \$980 million for this purpose—a \$73 million increase over the administration's request.

The bill rejects the administration's cuts to the Natural Resources Conservation Service's farm bill conservation programs, which include the Wetlands Reserve Program, the Farm and Ranch Lands Protection Program, and the Wildlife Incentives Program.

It restores funding for other valuable programs, including the Resource Conservation and Development Program and the Watershed and Flood Prevention Operations Program.

In the area of nutrition, the bill works to improve nutrition and help those hit the hardest by the current economic crisis. Food costs and participation in WIC continue to increase at dramatic rates. And the bill provides \$7.5 billion for WIC to serve our Nation's vulnerable populations—10 percent above last year—to support participation of 10.1 million people.

WIC is a program that we simply cannot afford to underfund any longer, particularly given the gravity of the current economic climate. Our fundamental responsibility as legislators and as leaders, to say nothing of basic morality and fairness, demand that we do everything we can to help Americans suffering right now from poverty and malnutrition.

In the area of international food aid, the bill expands America's traditional commitment to international food aid by providing an increase of \$464 million to the P.L. 480 Title II Grants Program. We also provide an additional \$99.5 million to the McGovern-Dole International Food for Education and Child Nutrition Program.

In the area of rural development, the bill creates new opportunities for growth and development in the Nation's small town economies by increasing funding for water and wastewater infrastructure grants by \$73 million; provides \$8.7 billion for housing; \$541 million for community facilities; and \$9.3 billion for the rural utility programs.

In research, the bill makes significant investments in agricultural research: \$1.2 billion for the Agricultural Research Service; nearly \$1.2 billion for

the Cooperative State Research, Education, and Extension Service. That money is allocated to such programs as the Hatch Act, Evans-Allen, the new competitive Agriculture and Food Research Initiative, Smith Lever, the 1890 programs, and the Veterinary of Medical Services Act.

□ 1945

With continuing volatility in the futures market, the bill provides the administration's request for the Commodity Futures Trading Commission, the CFTC, \$160.6 million—\$14.6 million and 10 percent above 2009—in order to better secure the markets from improper speculation. Just yesterday the CFTC moved to stem heavy speculative trading in the oil, natural gas and energy markets. With this increased funding, the Commission will be better poised to ensure market integrity for all honest brokers.

In closing, I look forward to working with all of you today as we work to craft responsible agriculture legislation that alleviates short-term suffering, encourages long-term growth, invests in our future and reflects our priorities as a Nation.

Let me take a moment to say thank you to our staff who have worked diligently to help put this bill together. The subcommittee majority staff: Martha Foley, our clerk; Leslie Barrack; Matthew Smith; and Kerstin Millius have worked closely with David Gibbons on the minority staff. In addition, Brian Ronholm and Letty Mederos on my staff and Merritt Myers from Mr. KINGSTON's staff all have worked very, very hard to bring this bill to the floor this evening. I hope the Congress will seize this opportunity to help American farmers and families in these tough times and get us moving again on the path to recovery. I urge you to support this bill.

I reserve the balance of my time.

Mr. KINGSTON. I yield myself as much time as I may consume.

I thank the gentlewoman, my counterpart, the chairwoman of the committee, for her great introductory remarks. I certainly support many parts of this bill. I want to start out by complimenting her on the process that we have and the relationship that we have. We have an open and honest relationship. We can agree to disagree and do it in an agreeable fashion. We have a lot of fun on the committee. We've had a lot of hearings. Many hearings where we are interrupted by votes and then we had to go back over there, sometimes it's just the Chair and I who go back; and we have our way with the witnesses, which is always fun because here in Washington we'd rather be the ones with the microphone than having somebody else have the microphone. We just have a good time with this. I think the staff works well together, and I want to recognize the staff for all their efforts at this time. On the majority staff, Martha Foley, Leslie Barrack, Jason Weller, Matt Smith,

Kerstin Millius, Brian Ronholm and Letty Mederos. I thank everybody on that side for working with our folks. Our folks are Dave Gibbons, Merritt Myers, Meg Gilley, Bernie Tokarz and Jarr Rosenbaum who all worked closely with us over the years; and we appreciate the work of the staff.

I think that if you look at one of the things that this bill has also done in this atmosphere where earmarks are under a lot of scrutiny, in 2006 this bill had \$865 million in earmarks. The bill we are looking at tonight has \$219 million. That is a substantial reduction. In 2008 there were about 400 earmarks in the bill, and now we're down to about 322. So we're making a lot of progress in reducing the number of earmarks, and that is a good thing.

What this bill does not have though is spending reductions; and unfortunately, Mr. Chairman, we spend a lot of time talking about increase in spending, but we don't talk about efficiency and effectiveness. The purpose of Congress really shouldn't be just to spend more money on an authorized program. We should make sure that the programs are effective, they're efficient, and are doing their intended purpose. Increasing WIC or increasing food stamps, is that a good thing? I would challenge that premise that it's not necessarily a good thing. It may be a necessary thing to do. But just because we've increased food stamps or WIC spending, I don't think we can polish off our halos and pat ourselves on the back. I think it underscores a situation in society that we need to be addressing, some of it in this committee, some of it in the authorizing committee; but certainly all Members of Congress, what do you do to help encourage people to be more independent so they do not have to depend on the U.S. Congress year after year? Spending in this bill is up about 14 percent overall. It's a \$123.8 billion bill. The discretionary portion is up nearly 13 percent from about \$20 billion to nearly \$23 billion. The FDA is up 13 percent, from \$2.6 billion to about \$3 billion; and CFTC, the Commodity Futures Trading Commission, has gone from \$140 million to \$160 million, which is about a 14 percent increase.

Now for these increases, what will we get for the taxpayer dollar? What does it do for us? It just really, we know, grows the bureaucracy. It doesn't always get something done better or faster. I think that when we spend more money, we should have a measurement of the expectation, particularly in an economy that is floundering, an economy right now that has an \$11 trillion national debt. I think my colleagues here don't need me to remind them where money comes from. We print it; we tax it from those who have earned it; or we borrow it from countries such as China, to whom we owe about \$622 billion right now. Truly the national debt is a big problem. It's not the 500-pound gorilla in the room. It's, rather, a whole lot of gorillas that are in the room.

I think as a Republican, one reason why we are in the minority is because we spent too much money. Republicans had a brand identity of being fiscal conservatives, and unfortunately we threw that away. There was a war. There was a hurricane. There were flooding problems. There was terrorism. There were domestic attacks. But that's not an excuse. However, now, particularly with this administration, spending seems to be on supercharge; and as government increases in size, the private sector seems to decrease in size.

Take, for example, the recently passed stimulus program, \$790 billion in deficit spending at a time when unemployment was 8 percent; and the President said we have to do something that will give us drastic and immediate results. Now instead of that unemployment rate being decreased, it's almost 10 percent; and 1.5 million new people are out of work since the passage of the stimulus program. Yet here we are again tonight, saying we can pass a bill with a 14 percent increase on it, and that is synonymous with good. Mr. LEWIS on the committee actually offered a substitute amendment in what we call the 302(b) allocation that would have actually held spending to a 2 percent increase over last year's level. That was rejected on a party-line vote. But I think Mr. LEWIS was trying to say, we've got to rein in control of the spending because it's clear more spending does not create more jobs.

There are other issues in this bill which we, in the minority, have tried to address through amendments. Now unfortunately despite the fact that we turned in to the Rules Committee 90 amendments—and I'll say I had not seen those amendments. I was trying to focus our minority efforts on about 8 to 10 to 12 particular amendments, amendments which I thought were substantial, substantive, that were good government, maybe philosophical disagreements here or there; and I had lots of communication with our Members. So I'm not sure where the other 70 to 80 amendments came from. But I do know with the pre-filing of amendments that Members are more inclined to throw a lot of amendments out there to the Rules Committee in order to protect themselves should they decide to go forward on their amendments because if they don't prefile, then they can't even have consideration. But because of the continuing practice of closed rules, most of these amendments, of course, were rejected. Tonight I believe we're going to be looking at two or three substantive amendments, then some earmark amendments, and then a couple of non-controversial amendments. And I'm appreciative of that. But I do think that we should open up this process a lot more.

There are other things that we should be discussing that are not in this bill, like a limitation on housing payments for illegal aliens. We need to

be discussing categorical eligibility for food stamps; and this is a practice widespread right now in the States where if you qualify for one entitlement program, then you're automatically going to be enrolled in food stamps. What the unintended consequence of that is, some people who have substantial net worth are going to be able to get food stamps because they're unemployed. And we all know, tragically, a lot of people are unemployed right now; but some of them have a lot of assets in the bank. Yet under the State interpretations of categorical eligibility, they're automatically enrolled in food stamps. I think that's taking away food stamps from somebody who truly deserves it. We are unable to have an amendment on that. Also payment limitations to farmers who are ineligible for programs. From 2003 to 2006 the USDA discovered about \$50 million that was paid to farmers who were not eligible to receive payments. I think that should be addressed in this bill a little more closely than it is. We did offer an amendment on that, but it was not supported. In 2006 the food stamp program made \$1.29 billion in overpayments. An amendment that would have prohibited illegal recipients from getting the money I think would have been something good for this bill, but that was not accepted. There was another amendment offered on P.L. 480. It's interesting, P.L. 480, we have increased that substantially. That's our foreign food assistance program. It has popular, broad bipartisan support. But on the same hand, I don't think we had enough oversight, enough discussion as to why that spending needed to spike up to the tune of getting \$700 billion in a supplemental bill and then another \$464 million in this bill. These things are of great concern to me, and we will discuss some of these in more detail.

I look forward to the debate. I look forward to the amendments. Again, I want to close with where I started with my chairwoman. I enjoy working on the committee, enjoy working with the staff; and we're going to continue to be engaged in this process. It won't just end tonight. We're going to make sure that we follow this bill all the way through; and to the degree that the minority is able to participate, we will be there. But thank you for letting us work with you.

I reserve the balance of my time.

Ms. DELAURO. I yield 1 minute to the gentleman from California (Mr. BACA).

Mr. BACA. Mr. Chair, I rise today to voice my strong support for H.R. 2997, the Agriculture appropriations bill for fiscal year 2010.

I thank my good friend ROSA DELAURO for her leadership on this vital legislation which helps put food on the table for more needy families. Americans are suffering through the worst economic crisis since the Great Depression. More and more families are forced to seek assistance in order to

feed themselves and their loved ones. As Chair of the Agriculture Subcommittee on Nutrition, I am pleased that this legislation makes a strong commitment to feeding the impoverished and ending hunger in America. Today's legislation provides more than \$7.5 million to ensure that some of the most wonderful in our society, women and young children, have access to nutritious foods during these tough times. These funds will ensure another 700,000 women, infants and children will have access to WIC benefits. In addition, H.R. 2997 provides \$180 million to give nutritious foods to over half a million low-income senior, disabled, and women and children through the Commodity Supplemental Foods Program. I urge my colleagues to support this legislation.

□ 2000

Mr. KINGSTON. Mr. Chairman, I yield 5 minutes to the gentleman from Florida.

Mr. MICA. I want to thank our ranking member, Mr. KINGSTON, for yielding time.

I would have liked to have actually spoken on the rule. As some of you may know, I protested the rule. I didn't bring the House business to a halt, but I did ask several reconsiderations and a motion to adjourn, exercising my right in the minority, and as a House Member, to proceed on business that I felt was only fair and equitable as far as treatment of a Member when a Member has a problem in his district.

I have the great honor and privilege of representing an urban area, a suburban area, and also a rural area from basically north of Orlando to just south of Jacksonville. The western part of the central and the center part of the northern part of the State is agriculture and rural. It is a great area. People work hard. They are some of the most dedicated, hardworking Americans I know.

Unfortunately, several months ago, we had a disastrous series of rains. We had up to 30 inches of rain in some of the areas. I have pictures of potato fields. My district is one of the largest potato growth and farm areas in the Nation. These fields behind me here were all covered with water and covered for multiple days with sun and rain. What happened is basically the potatoes rotted and we had \$50 million worth of damage, which really isn't a huge amount of money when we deal with billions here, but it means the difference between life and death, between staying in business and keeping people employed in my district.

I had asked the Rules Committee for a small change in a program that is called Supplemental Review Assistance program, and those are Federal programs that farmers in my district paid premiums for, participated in, and were eligible for. In fact, 85 percent of the potato farmers were eligible for participation in those programs, but the problem that we had, in spite of their

having this insurance, is that the timing of the disaster was such and the rules by which they assess eligibility and disaster payments under SURE would arrive after the crop losses, because some of the data has to be computed for payment rates a year after the harvest. Now, that doesn't help people who are trying to do plantings, and we have different seasons from other parts of the United States. It doesn't help people who are trying to keep folks employed in the farm business, and it doesn't help farmers who are trying to keep their door open.

I asked for a small change, and if you look at the rule, they actually put in some changes, and they were, I hate to say it, legislating on appropriations to help folks. And we normally do that. We help each other in the House of Representatives when our areas have a disaster.

Now, I wasn't asking for any more money. I wasn't asking for another bigger program. There is plenty of money there. It is the timing of the disaster and this particular requirement to get funds and make my farmers eligible and farmers through this devastated area eligible.

So I'm very disappointed. I must say that I have the highest respect for Mr. KINGSTON, and I have the greatest respect for Ms. DELAURO. They do a wonderful job. My argument, again, is not with you. My argument is with the Rules Committee that did not extend the courtesy to a Member to assist his district in a time of natural disaster. I intend to pursue this no matter what it takes. However, I have to get the attention of the House. We are going to find a way to bring aid to people in my district who just want to stay in business, who want to continue farming, and who want to create jobs in a very difficult economy and not be shut down. They have paid their dues. They have paid their fees.

We are not asking for any more money. We are just asking for a slight change in some of the language on the funds that are available, and there are plenty of funds available.

Mr. KINGSTON. I continue to reserve the balance of my time.

Ms. DELAURO. Mr. Chairman, I just would say to my colleague that I sympathize with the difficulties and the disaster that has befallen your district, and I would urge you to speak to the authorizing committee and Mr. PETERSON in the Agriculture Committee for this effort.

With that, let me just yield 2 minutes to the gentleman from Connecticut (Mr. COURTNEY).

Mr. COURTNEY. Mr. Chairman, I thank the chairwoman for yielding.

I rise this evening to engage in a colloquy with the chairwoman of the subcommittee about the desperate state of the Nation's dairy industry which has experienced a disastrous collapse in prices over the past year. During the July recess, I had the honor of accompanying Chairwoman DELAURO on a

visit to the Greenbacker Dairy Farm in Durham, Connecticut. During that visit, we heard firsthand from dairy farmers all across Connecticut about the difficulties that they are facing, particularly regarding the cost of production and the rapid decline of dairy prices over the past year.

I ask the chairwoman if she could speak to this issue and what relief might be available to these farmers.

Ms. DELAURO. I thank the gentleman for his efforts on behalf of the dairy industry. Over the past year, dairy farmers across the country have been challenged like never before. I support efforts to provide increased relief to these farmers. I thank you, Mr. COURTNEY, Mr. WELCH, Chairman PETERSON, and other Members for their efforts. I am committed to helping struggling dairy farmers and their families in Connecticut and across the country.

Mr. COURTNEY. I thank the Chair for her response and her staunch support of our State and national dairy farms.

I now yield to my distinguished colleague from Vermont (Mr. WELCH).

Mr. WELCH. We appreciate the gentlewoman's hard work on the Agriculture appropriations spending bill. As you know, dairy farmers are currently being paid \$11 per hundredweight on milk that costs them \$18 per hundredweight to produce. This upside-down pay scale is absolutely unsustainable. It has already forced dozens of Vermont farmers out of business.

We unsuccessfully offered an amendment to the bill to raise the payment rates on the Milk Income Loss Contract program from 45 percent to 79 percent. While the MILC program isn't perfect, it is really a way to put money back in the pocket of farmers.

We appreciate your support, and we believe that you agree that Congress must take action to help our struggling dairy farmers and we cannot wait for more farms to go out of business.

I thank the chairwoman and look forward to continuing to work with her and my colleague from Connecticut.

Ms. DELAURO. I thank my friend from Vermont for his leadership and my friend from Connecticut. I applaud his continued efforts to help the dairy industry. I look forward to working with you.

Mr. KINGSTON. I continue to reserve the balance of my time.

Ms. DELAURO. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey (Mr. HOLT).

Mr. HOLT. Mr. Chairman, I commend the gentlelady for her work on the bill and thank her for supporting my amendment to protect the USDA's organic standards and labels and to enter into a colloquy now.

We must ensure that the Department of Agriculture's Inspector General has the resources to complete a thorough investigation, already underway, into

whether current inspectors are upholding the most rigorous standards for organic certification and receiving adequate oversight. The Inspector General also needs resources to investigate whether nonorganic substances inappropriately remain in USDA-certified products. The number of nonorganic substances has ballooned from 77 in 2002 to 245 today, and only one has been removed. If we want the organic label to mean something, then there must be strong standards for organic certification and we must uphold them.

Ms. DELAURO. I agree with the gentleman about the importance of protecting and strengthening USDA's organic standards.

The CHAIR. The time of the gentlewoman has expired.

Ms. DELAURO. I yield myself 5 additional seconds.

I was pleased to incorporate it into today's chairman's amendment, the amendment to increase funding to the Office of the Inspector General.

Mr. KINGSTON. I continue to reserve the balance of my time.

Ms. DELAURO. I am pleased, Mr. Chairman, to yield 1½ minutes to the gentlewoman from California (Ms. LEE).

Ms. LEE of California. Let me first thank the gentlelady from Connecticut for her hard work and her dedication to moving our Nation forward in the area of agriculture, nutrition, health safety, and all of the other issues that she tackles each and every day. This bill is going to help millions of Americans, and I am pleased to support it.

I rise today to enter into a colloquy to raise the important issue regarding the lifetime ban on food stamp eligibility for formerly incarcerated persons who were convicted of drug offenses. This is really a serious moral and ethical issue of concern to me and many members of the Congressional Black Caucus.

Our Constitution provides the appropriate groundwork for this issue in article 1, section 10 in the Fifth Amendment by declaring that individuals are not to be subject to double jeopardy or to be subject to ex post facto laws. After offenders have served their time, Mr. Chairman, the formerly incarcerated reenter society looking to improve themselves and their lives. As a society, this is what we want to support to reduce recidivism and reduce crime; however, the current policy prevents them access to food stamps.

Food stamps and cash support are essential to the health and stability of families. Individuals with criminal convictions face considerable barriers, often needing transitional services and support to improve their ability to acquire gainful employment and transition after incarceration. The Personal Responsibility and Work Opportunity Reconciliation Act prohibits anyone convicted of a drug-related felony from receiving both federally-funded cash assistance—

The CHAIR. The time of the gentlewoman has expired.

Ms. DELAURO. I yield the gentlelady 30 additional seconds.

Ms. LEE of California. The point I wanted to make is that the Welfare Reform Act prevents anyone, and only those who were formerly convicted of drug felonies, from ever receiving cash assistance and food stamps, even after completing their sentence and overcoming an addiction.

So I have worked with the authorizing committee and introduced H.R. 5802, and I wanted to talk to the gentlelady tonight about this very important issue. I hope that sooner or later we can really repeal this ban because it is a barrier for those who have reentered society. They deserve to be able to be eligible for food stamps.

Ms. DELAURO. Mr. Chairman, I yield myself 15 seconds.

I assure the gentlewoman that we will work together to correct the inequity that has been in place since the 1996 welfare reform bill. I agree with you. The time has come to address this issue in a meaningful way. We are talking about individuals who have paid their debt to society. They should be given a new opportunity to make a new life, to provide food assistance for themselves and their families. It is the right thing to do.

Mr. KINGSTON. I continue to reserve the balance of my time.

Ms. DELAURO. Let me yield 1 minute to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. I thank the gentlewoman. I rise to engage in a colloquy with the chairwoman of the subcommittee.

Reliable economic data is critical for any industry. Congress has historically supported the Economic Research Service of the USDA which has collected and analyzed segregated organic data. Organic farming is one of the fastest growing segments of the U.S. agriculture. The need and demand for this information will continue to increase.

Though language has been included in past Agriculture appropriation bills that dedicates funding for the Organic Production and Marketing Data Initiative, it is not included this year. Only \$500,000 of the \$82.5 million budget of the Economic Research Service would help meet the needs of the initiative. Is it the gentlelady's opinion that the funding for the initiative should remain strong?

Ms. DELAURO. The importance of the program is clear, Mr. KUCINICH, and you have raised a very valid point. I agree with you that the Organic Production and Marketing Data Initiative should be funded in order to compete with the rest of agricultural commodities.

Mr. KUCINICH. I thank the gentlelady.

Mr. KINGSTON. I continue to reserve the balance of my time.

Ms. DELAURO. I yield 1½ minutes to the gentlewoman from Wisconsin (Ms. MOORE).

Ms. MOORE of Wisconsin. I thank the gentlewoman.

Mr. Chairman, I rise today to engage in a colloquy with the chairwoman of the subcommittee. I commend her efforts to expand the Child and Adult Care Food Program in this bill by increasing the total number of States authorized to serve supper through the At-Risk Afterschool Care program.

According to the Food Research Action Center, the average daily participation of children in Wisconsin in the Child and Adult Care Food Program is over 63,000 kids. There is a great deal of need in my State and across the Nation to ensure that young people have the opportunity to have three nutritious meals a day.

I would love to work with the gentlewoman and my colleague, Senator KOHL in the Senate, to authorize Wisconsin to serve suppers in Wisconsin through the Child and Adult Care Food Program.

Ms. DELAURO. I thank the gentlelady for her support of the Child and Adult Care Food Program, and I would like to work with her very much in the future to expand access to meals in the At-Risk Afterschool Care programs. Through CACFP, 3.1 million children and 108,000 adults receive nutritious meals and snacks each day as part of their day care. The bill before us today expands the afterschool meals program to additional areas. I want to ensure you that we will work together to expand this essential program.

Ms. MOORE of Wisconsin. With the increasing price of food and overall food insecurity among families and communities in today's economy, I welcome the opportunity to work to improve and expand the program.

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Ms. DELAURO. I yield 2 minutes to the gentlelady from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Let me thank the distinguished chairwoman and the ranking member.

I rise today to support the underlying bill and to particularly focus on the question of hunger in America.

Madam Chairwoman, this past weekend I joined one of the more well-known constituents of mine, Beyonce, who is engaged in an online opportunity to ensure that food banks of America are taken care of. We realize that in this economic recession, although we are working very hard with stimulus funds, that many people are in need. Families who work are in need of extra assistance, and so I am particularly interested and concerned that this legislation, the appropriations, will be supportive of the works of the Nation's food banks and help the various food banks through a number of provisions that may ensure that food banks are a viable part of our economic food line.

We know that there are about 900 million, 923 million people-plus, that are hungry around the world or are

lacking in what we call food security, the inability to secure the right kind of food. We know that developmental concerns occur in children who are not, in essence, able to participate or to have the kind of food security they need to have.

So I am very pleased that again the McGovern-Dole legislation has been supported as International Food Aid, providing some \$1.69 billion as requested and \$464 million above 2009. I am also very glad that this is able to meet emergency and nonemergency humanitarian food need in countries stricken with natural disasters and political strife, \$199.5 million food for the McGovern-Dole International Food for Education and Child Nutrition Program, the same as requested, and \$99.5 million above 2009 to support education, child development and food security to some of the world's poorest children.

The CHAIR. The time of the gentlewoman has expired.

Ms. DELAURO. I yield the gentlewoman an additional 30 seconds.

Ms. JACKSON-LEE of Texas. Might I also say that I am also glad that this legislation continues to support the Congressional Hunger Center, which many of us have been supporting over the years in terms of its funding. And, likewise, I would like to emphasize the importance, in conclusion, that hunger has not been overcome.

This bill deals with many issues, nutrition, Women, Infants and Children, the WIC program that is so very important, the commodities, the supplemental food program all again focusing on the large need from hunger, not only internationally, but domestically.

I want to thank the chairwoman again and would like to continue to work with her as this bill makes its way through the Congress.

The CHAIR. The time of the gentlewoman has again expired.

Ms. DELAURO. I yield the gentlewoman an additional 10 seconds.

Ms. JACKSON-LEE of Texas. I think you are well aware of the work that my former colleague, Mickey Leland, has done on hunger. And I want to continue to work to ensure that these programs are there for the continuously hungry and that we will be able to distinguish it.

Ms. DELAURO. I yield myself 10 seconds.

I want to assure the gentlewoman from Texas that it is of a high priority for me to make sure that we address the very serious issue of hunger in this country and internationally, and we will spend a lot of time in that effort.

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

I want to make a statement on behalf of myself and Mr. FRANK of Massachusetts and Ms. BROWN of Florida regarding the domestic catfish industry, and if the Chair wants to respond, fine; but we have discussed this.

And it actually came a little bit late in the hearing process to do anything

about, but I wanted to give some background. In 2008 the farm bill created a new USDA catfish inspection program that requires the USDA to define what is considered a catfish.

Now, the reason this is important is because the FDA traditionally does the inspection on fish, not the USDA. But now we put in this farm bill, the USDA, in the catfish business. This was pushed by the domestic catfish industry, asserting that Chinese catfish processors would not be able to meet the USDA equivalency requirements of continuous inspection and thus could not export competing products to the United States.

And as somebody who comes from farm country, I know that dealing with foreign competition is very tough because sometimes they subsidize their producers, and maybe they have different regulatory requirements or they have some unfair advantage over the domestic producers. And yet at the same time, the ability to buy food internationally often brings down the price, increases the quality sometimes and increases the number of choices for our consumers. So it is a desirable thing for the United States Government to want to have people import food.

But the FDA uses a hazard analysis critical control point risk-based system that has worked very, very well. But now, under this, we are having the USDA get into the catfish inspection program, which probably is not as well, it's just not going to be as effective as the FDA program.

The problem is the Chinese begin to grow and export a catfish to the United States called the ictaluridae. And, meanwhile, the Vietnamese started growing something called the pangasius. And these species are very different. Just like a human being is different from a baboon, so are these two different types of fish.

But what is happening now, the domestic catfish industry is pushing the USDA to adopt a broad definition of catfish beyond the ictaluridae and include the pangasius. And I know you got all of that, Mr. Chairman, because I did too the first time.

And the concern that I have is that the USDA really does not have the expertise to broaden their mission to start making definitions on a different type fish than what the farm bill asked them to look into. So I am very concerned about that, as is Mr. FRANK, as is Ms. BROWN from Florida. And I know other Members are as well, and we really do not want to see the USDA go beyond the mission and include this pangasius in their definition of catfish.

And if the chairwoman wants to respond, I would be glad to yield.

Ms. DELAURO. Yes, if the gentleman would yield, I would be happy to address the issue.

Mr. KINGSTON. I would be happy to yield.

Ms. DELAURO. I would just say to the gentleman that there is a need to

improve inspections of seafood imports. As you know, less than 1 percent gets inspected each year. And there was a lot of discussion about this provision during the farm bill last year.

I, frankly, have some concerns that it would further complicate the organizational structure of food safety, instead of simplifying matters in moving that jurisdiction from the FDA to the USDA. Also, if USDA diverted resources to inspecting catfish, would it take away resources from meat and poultry inspection. And I would just say that we did plus-up funding to the USDA to be able to accommodate this new responsibility.

Another concern I had about this provision is that moving seafood inspection, or even catfish inspection, is more complicated than it seems. There is a substantial difference between preventing outbreaks in meat and poultry and preventing outbreaks in seafood. And the FSIS, the Food Safety and Inspection Service, has no experience with identifying seafood pathogens.

So I look forward to discussing this issue further with the gentleman in answering some of the questions that you have with regard to this.

Mr. KINGSTON. Well, I thank the gentlewoman, and as we both know, we have spent a lot of time talking also about the USDA and Chinese chicken and that issue. And one of the concerns that—this underscores the thing on catfish, that it is the USDA's domain, really. They have the expertise and the track record on fish, whereas the USDA has a track record on chicken, poultry and beef domestically; and I know that you do have concerns in terms of their expertise to look at the reimportation of poultry products from China. And I wasn't going to really discuss that, but, certainly, if the gentlewoman would like to, we have had—

Ms. DELAURO. Well, certainly, we have had a discussion about it over time. And I think the gentleman knows my position on this issue, and my position has not changed in a number of years.

And it's my view that the decisions about the importation of food products from China are a public health issue that must not be entangled in trade discussions. And I understand that Chinese officials are suggesting a quid pro quo, if you will, and they are trying to link the exportation of poultry products with reopening U.S. beef exports to the People's Republic of China.

Those talks, in my view, should be separate and distinct. My position in this area has to do with the public health of this Nation. It is clear that the 2006 FSIS declaration that China's safety and inspection system was, quote, equivalent to the U.S. system for processed poultry products, was based on trade goals. From a public health and a safety perspective, the equivalency determination was deeply flawed and cannot be relied on to protect U.S. consumers' safety.

Equivalency was granted in the face of overwhelming evidence of contamination in Chinese processing plants and in Chinese slaughterhouses.

Therefore, in my view, the ban on poultry products from China must be maintained. And while USDA does have a process, as you pointed out, in place, that process, in making a determination of equivalency for processing U.S. chicken in China, was flawed and was broken and has not worked.

The committee, by the way, and you understand this, intends to undertake a thorough review of, convene hearings on the equivalency process in general. And what we will examine are audits of inspection, on-site reviews of processing facilities, laboratories, other control operations, increased level of port entry reinspection and information-sharing programs with other countries.

So I look forward to continuing this discussion and working with you as the committee moves forward with its examination. But in the meantime, the limitation in carrying out this rule needs to be maintained.

Mr. KINGSTON. Well, I thank the gentlewoman for those remarks, and I think that your uncertainty with the reliability of USDA on Chinese chicken I share with the USDA on catfish.

There is a lot to continue to discuss. And it's interesting, Mr. Chairman, as we talk about our trade relations, and I think that the gentlewoman does make a very good point that we have to be sure that our desire to trade with countries doesn't blur the food safety mission that we also have.

I was reminded, though, on the 4th of July that of the \$211 million worth of fireworks that we exploded all around the Nation, most of it came from China. And of the flags and bunting that we displayed on the 4th of July, \$340 million worth, most of that came from China as well.

So we do have a great deal—we have got a big challenge in front of us as we look at our second largest trade partner in China to figure out, you know, what are some of these lines and boundaries.

Ms. DELAURO. I would just say to the gentleman that we have a responsibility that whatever the food product is coming, and that food product from anywhere, that the country that is producing this product or processing this product must have the same set of equivalent standards that we have domestically to ensure the public health of people in the United States. We have witnessed over and over again in the last several months that we will put the public health at risk when children die, when people are ill from either a product that's domestically produced or internationally produced. We, as a Nation, and those of us who serve in this body, I believe, have a moral responsibility to do something about it.

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Mr. KINGSTON. I thank the gentlewoman. I have no further speakers on

general debate, and I yield back the balance of my time.

Mr. VAN HOLLEN. Mr. Chair, I rise in support of the FY 2010 Agriculture, Rural Development, Food and Drug Administration Appropriations bill for the investments it makes in protecting the public health, bolstering food nutrition and conserving our natural resources.

I am pleased that the Food and Drug Administration will receive \$2.338 billion in discretionary funding, an increase of \$299 million over last year. Serious gaps have been exposed in FDA's ability to protect the American public due to recent outbreaks and recalls of food-borne illnesses. We need to ensure that the FDA has the necessary tools and resources to fulfill its vital mission in protecting the American public from unsafe products. This substantial investment in the FDA will significantly improve food and medical products safety. In addition, the bill fully funds the President's request for the Food Safety Inspection Service, providing over \$1 billion for FSIS for the first time in history for the inspection of meat, poultry and egg products.

To help those low-income and elderly Americans struggling with rising food costs in this current economic crisis, this bill strengthens food nutrition programs by providing \$61.4 billion for the Supplemental Nutrition Assistance Program, an increase of \$7.4 billion over last year's amount, and \$7.5 billion for the Women, Infants, and Children (WIC) program. The funding the legislation provides will help an additional 700,000 women, infants, and children, which will increase WIC participation to over ten million people.

As Co-Chair of the bipartisan Congressional Chesapeake Bay Watershed Task Force, I am particularly pleased that the bill provides almost \$4 million through the Natural Resources Conservation Services for Chesapeake Bay restoration activities. Providing adequate technical assistance to farmers, landowners, watershed groups and communities is critical to implementing the Farm Bill conservation programs that are the single most vital tool to improving the health of the Chesapeake Bay. This legislation provides \$980.3 million for the Natural Resources Conservation Program to help face the demands for cleaner water, reduced soil erosion, and more wildlife habitat.

Mr. Chair, I commend Chairwoman DELAURO, Ranking Member KINGSTON and the rest of the subcommittee for its work on this legislation and urge my colleagues' support.

Mrs. MILLER of Michigan. Mr. Chair, I rise today in strong support of the underlying legislation, H.R. 2997 the Agriculture, Rural Development, Food and Drug Administration and Related Agencies Appropriations Act of 2010.

My district is home to some of the most fertile farm land as well as some of the hardest working families farmers in the nation.

As you drive through my district, you see fields full of dry beans, sugar beets, corn, wheat, soybeans, various vegetables, and other crops needed to feed our nation and indeed the world.

We have thriving cattle, pork, and dairy industries as well.

While so many identify Michigan with manufacturing, we sometimes forget that agriculture is Michigan's second leading industry—and the bright spot in a struggling Michigan economy.

This bill is important because it provides much needed funding for the Farm Services

Agency which administers disaster and loan programs, farm commodities and conservation programs directed toward producers.

The bill also goes a long way in providing money for continued agriculture research which is so important in increasing yields and furthering education for our producers. This measure also includes essential programs to assist those living in rural communities and extends programs that keep the quality of our food safe.

Finally, this bill also provides an important benefit to the Great Lakes, a national treasure which represent 20% of the world's freshwater supply. This bill exceeds the President's Budget and the FY2009 levels for funding for the Natural Resources Conservation Service which help protect wetlands and wildlife habitat.

While there are certainly challenges with this bill—namely an increase in spending over last year—it is vital that we move this important funding bill forward. It is my hope that in conference we can find additional savings to bring total spending down, but this bill does represent spending that will provide sufficient support for an industry that is important to our national economy and necessary to make certain that America remains the greatest food producer in the world. I urge my colleagues to vote in favor of this bill.

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

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

No amendment shall be in order except the amendments printed in part A and B of House Report 111-191, not to exceed one of the amendments printed in part C of the report if offered by the gentleman from California (Mr. CAMPBELL) or his designee; not to exceed three of the amendments printed in part D of the report if offered by the gentleman from Arizona (Mr. FLAKE) or his designee; and not to exceed one of the amendments printed in part E of the report if offered by the gentleman from Texas (Mr. HENSARLING) or his designee. Each amendment shall be considered as read, shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent, and shall not be subject to a demand for division of the question. An amendment printed in part B, C, D, or E of the report may be offered only at the appropriate point in the reading.

The Clerk will read.

The Clerk read as follows:

H.R. 2997

*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, 2010, and for other purposes, namely:

PART A AMENDMENT NO. 1 OFFERED BY MS.

DELAURO

Ms. DELAURO. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part A amendment No. 1 offered by Ms. DELAURO:

Page 3, line 19, after the dollar amount, insert “(reduced by \$1,000,000)”.

Page 5, line 4, after the dollar amount, insert “(reduced by \$500,000)”.

Page 5, line 5, after the dollar amount, insert “(reduced by \$500,000)”.

Page 6, line 9, after the dollar amount, insert “(reduced by \$4,000,000)”.

Page 8, line 1, after the dollar amount, insert “(increased by \$500,000)”.

Page 9, line 10, after the dollar amount, insert “(increased by \$2,000,000)”.

Page 10, line 25, after the dollar amount, insert “(increased by \$3,519,000)”.

Page 11, line 8, after the dollar amount, insert “(increased by \$3,000,000)”.

Page 11, line 23, after the dollar amount, insert “(increased by \$519,000)”.

Page 25, line 22, after each of the dollar amounts, insert “(reduced by \$519,000)”.

Page 57, line 8, after the dollar amount, insert “(increased by \$235,000,000)”.

Page 57, line 20, strike “and”.

Page 57, line 23, insert before the colon the following: “; and \$235,000,000 shall be derived from tobacco product user fees authorized by section 919 of the Federal Food, Drug, and Cosmetic Act, as added by section 101 of the Family Smoking Prevention and Tobacco Control Act (Public Law 111-31), and shall be credited to this account and remain available until expended”.

Page 57, line 25, strike “and animal generic drug” and insert “animal generic drug, and tobacco product”.

Page 58, line 21, strike “(7) not to exceed \$115,882,000” and insert the following: “(7) \$216,523,000 shall be for the Center for Tobacco Products and for related field activities in the Office of Regulatory Affairs; (8) not to exceed \$117,225,000”.

Page 58, line 25, strike “(8) not to exceed \$168,728,000” and insert “(9) not to exceed \$171,526,000”.

Page 59, line 2, strike “(9) not to exceed \$185,793,000” and insert “(10) not to exceed \$200,129,000”.

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ There is appropriated, for the grant program for the purpose of obtaining and adding to an anhydrous ammonia fertilizer nurse tank a substance to reduce the amount of methamphetamine that can be produced from any anhydrous ammonia removed from the nurse tank as authorized by section 14203 of the Food, Conservation, and Energy Act of 2008 (21 U.S.C. 864a), hereby derived from the amount provided in this Act for “Rural Development Salaries and Expenses”, \$2,000,000.

SEC. \_\_\_\_ None of the funds appropriated or otherwise made available by this Act may be used for first-class travel by the employees of agencies funded by this Act in contravention of sections 301-10.122 through 301-10.124 of title 41, Code of Federal Regulations.

The CHAIR. Pursuant to House Resolution 609, the gentlewoman from Connecticut (Ms. DELAURO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Connecticut.

Ms. DELAURO. Mr. Chairman, this is a good amendment, and it contains several provisions.

First, it appropriates the tobacco fees authorized in the recent tobacco bill to start up the new Tobacco Control Program as authorized under the

Family Smoking Prevention and Tobacco Control Act.

The amendment also provides increases of \$2 million for the Agriculture Research Service and \$3 million for the National Institute of Food and Agriculture. It increases funding for the Office of the Inspector General. It raises the funding level for the Higher Education Multicultural Scholars Program to \$1.5 million; provides \$2 million for the Methamphetamine Inhibitor Grant Program authorized in the farm bill; and prohibits first-class travel by employees funded in the bill if it violates existing rules.

The increases are fully offset by small reductions to administrative programs. It is a noncontroversial amendment, and I urge my colleagues to support this amendment.

I reserve the balance of my time.

Mr. KINGSTON. Mr. Chairman, I rise to claim the time in opposition to the amendment.

The CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. KINGSTON. I yield myself such time as I may consume.

Opposition of this amendment has nothing to do with the Agriculture Committee as much as it does the Rules Committee because there were so many amendments that the Rules Committee did not allow by the minority, and the reason that the Rules Committee said they did not allow them was because they were authorizing on an appropriation bill. This is authorizing on an appropriation bill. While there is a good reason for it, it is still something that I think is philosophically inconsistent with what the Rules Committee has been telling us for the last 24 hours. I will ask for a recorded vote on this.

I yield back the balance of my time.

Ms. DELAURO. Mr. Chairman, I would just indicate that the Rules Committee did make the amendment in order. As I say, it is a noncontroversial amendment.

I yield back the balance of my time.

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

The question was taken; and the Chair announced that the ayes appeared to have it.

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

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Connecticut will be postponed.

The Clerk will read.

The Clerk read as follows:

#### TITLE I

#### AGRICULTURAL PROGRAMS

#### PRODUCTION, PROCESSING AND MARKETING OFFICE OF THE SECRETARY

For necessary expenses of the Office of the Secretary of Agriculture, \$5,285,000: *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.

#### OFFICE OF TRIBAL RELATIONS

For necessary expenses of the Office of Tribal Relations, \$1,000,000, to support communication and consultation activities with Federally Recognized Tribes, as well as other requirements established by law.

#### EXECUTIVE OPERATIONS

#### OFFICE OF THE CHIEF ECONOMIST

For necessary expenses of the Office of the Chief Economist, \$13,032,000.

#### PART B AMENDMENT NO. 2 OFFERED BY MR. BRADY OF TEXAS

Mr. BRADY of Texas. Mr. Chairman, I call up my amendment made in order under the rule.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 2 offered by Mr. BRADY of Texas:

Page 3, line 4, after the dollar amount, insert “(reduced by \$50,000)”.

Page 8, line 20, after the dollar amount, insert “(increased by \$50,000)”.

The CHAIR. Pursuant to House Resolution 609, the gentleman from Texas (Mr. BRADY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. BRADY of Texas. Mr. Chairman, this amendment seeks to shift \$50,000 from the Office of the Chief Economist at the USDA to the Economic Research Service.

The goal of this amendment is to have the Office of the Chief Economist work jointly with the Economic Research Service and the Foreign Agriculture Service to conduct an independent, objective study on the potential growth in U.S. agriculture exports that would result from implementation of the pending trade promotion agreements with Colombia, Panama, and South Korea within 90 days of this legislation becoming law.

Additionally, the Department of Agriculture would also report on the potential impact of U.S. agriculture exports if these agreements are not implemented.

In each case, the USDA would analyze the impacts of changes in exports on agriculture sector jobs, wages, farm income, and commodity prices.

As many of you know, each of these countries have signed or are negotiating trade agreements with several countries that are major competitors for America's farmers and ranchers. I know we are all concerned about the potential loss of competitiveness that families and workers in our agriculture sector would face if the pending trade agreements are not implemented.

While there has been some analysis of the impact of the pending trade agreements on American farmers and ranchers, much of this analysis is outdated. For example, the study by the U.S. International Trade Commission on the U.S.-Colombia Trade Promotion Agreement was published in December 2006 and relied on trade data from 2005. Obviously, conditions have changed since then.



In these difficult economic times, Congress, now more than ever, must pursue policies to enhance the competitiveness of America's farmers and ranchers. And since 95 percent of all consumers live outside the United States, increasing exports, finding new customers for American farmers and ranchers, are a vital component of that effort.

The analysis conducted as a result of this amendment will help Members of Congress understand fully the importance of leveling the playing field for America's farmers and ranchers by considering and implementing the pending trade agreements.

I reserve the balance of my time.

Ms. DELAURO. Mr. Chairman, although I plan to support the amendment, I ask unanimous consent to claim the time in opposition.

The CHAIR. Without objection, the gentlewoman from Connecticut is recognized for 5 minutes.

There was no objection.

Ms. DELAURO. I want to first say to the gentleman from Texas, to be clear and have real clarity about this amendment, this would transfer \$50,000 from the Office of the Chief Economist to the Economic Research Service.

The gentleman's amendment does not address trade or trade agreements. It is a simple transfer of funds from the Office of the Chief Economist to the ERS, without any designation of what the disposition of those funds are. I want to be absolutely clear about that. I yield to the gentleman.

Mr. BRADY of Texas. Yes, Madam Chairman, we were very respectful of the House rules on those issues. Clearly an intent of this discussion tonight is to have this study conducted, but we were very respectful of the House rules.

Ms. DELAURO. As I said, I plan to support the amendment, but the amendment as I say makes that transfer. I did not choose the offset that is included, and we may need to revisit that in conference. But I would be happy to accept the amendment.

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

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

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

The question was taken; and the Chair announced that the ayes appeared to have it.

Mr. BRADY of Texas. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

The Clerk will read.

The Clerk read as follows:

NATIONAL APPEALS DIVISION

For necessary expenses of the National Appeals Division, \$15,289,000.

OFFICE OF BUDGET AND PROGRAM ANALYSIS

For necessary expenses of the Office of Budget and Program Analysis, \$9,436,000.

OFFICE OF HOMELAND SECURITY

For necessary expenses of the Office of Homeland Security, \$2,494,000.

OFFICE OF ADVOCACY AND OUTREACH

For necessary expenses of the Office of Advocacy and Outreach, \$3,000,000.

OFFICE OF THE CHIEF INFORMATION OFFICER

For necessary expenses of the Office of the Chief Information Officer, \$61,579,000.

PART B AMENDMENT NO. 4 OFFERED BY MRS.

CAPITO

Mrs. CAPITO. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 4 offered by Mrs. CAPITO:

Page 3, line 19, insert after the dollar amount the following: "(reduced by \$10,038,000)".

Page 46, line 18, insert after the dollar amount the following: "(increased by \$10,038,000)".

The CHAIR. Pursuant to House Resolution 609, the gentlewoman from West Virginia (Mrs. CAPITO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from West Virginia.

Mrs. CAPITO. Mr. Chairman, as we know, funding for rural water projects is vital to the quality of life in our local communities. Small communities have the greatest difficulty providing safe, affordable public drinking water due to their limited resources, and this amendment is designed to help address this challenge.

Helping small communities better manage their water resources is absolutely critical to rural America. Across this country, over 90 percent of the community water systems serve a population of less than 10,000 people, and are eligible to receive support from the USDA Water and Waste Disposal programs.

USDA water loans and grants allow communities to build or extend water systems and repay the loans at reasonable rates and terms. These important programs provide small communities that possess limited technical and financial resources the tools they need to protect their drinking water quality.

Small and rural communities rely on technical assistance and training from their State rural water associations to overcome their lack of economies of scale, provide critical onsite technical expertise, and comply with Federal rules and regulations. Without this assistance, many could not construct new systems, expand existing ones, or comply with mandates.

My amendment would restore funding of the Rural Water and Wastewater Disposal program to the fiscal year 2009 level, and ensure that communities have access to the technical resources they need to supply safe and affordable water.

At the President's request, the committee reduced funding to the Rural Water and Wastewater Disposal program by \$10.038 million. But just yesterday, the Senate Appropriations Committee recommended the Rural

Water and Waste Disposal program receive \$22.5 million above the President's request.

We must continue to protect important rural water systems which are critical to the economic viability of any small community by maintaining funding for the Rural Water and Wastewater Disposal program. I encourage my colleagues to support this amendment.

I reserve the balance of my time.

Ms. DELAURO. Mr. Chairman, although I plan to support the amendment, I ask unanimous consent to claim the time in opposition.

The CHAIR. Without objection, the gentlewoman from Connecticut is recognized for 5 minutes.

There was no objection.

Ms. DELAURO. This amendment does transfer \$10.038 million from the Office of Chief Information Officer to the Rural Water and Waste Disposal program. I support more funding for water and waste programs. I did not again here in this instance choose the offset that is included, and we may need to revisit that in the conference. I urge adoption of the amendment. I ask for a "yes" vote on the amendment.

I yield back the balance of my time.

Mrs. CAPITO. I thank the chairwoman for her support for this amendment. I would like to mention that I did circulate a letter in support of this program, and we had great bipartisan support in that letter and I appreciate the support across the aisle. I would like to thank the ranking member as well.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentlewoman from West Virginia (Mrs. CAPITO).

The question was taken; and the Chair announced that the ayes appeared to have it.

Mrs. CAPITO. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from West Virginia 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, \$6,466,000: *Provided*, 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 Oversight and Government Reform of the House of Representatives a report on the Department's contracting out policies, including agency budgets for contracting out.

PART B AMENDMENT NO. 5 OFFERED BY MR.

FORTENBERRY

Mr. FORTENBERRY. I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 5 offered by Mr. FORTENBERRY:

Page 3, line 19, insert after the dollar amount the following: “(reduced by \$2,000,000)”.

Page 46, line 5, insert after the dollar amount the following: “(increased by \$2,000,000)”.

The CHAIR. Pursuant to House Resolution 609, the gentleman from Nebraska (Mr. FORTENBERRY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Nebraska.

Mr. FORTENBERRY. Mr. Chairman, I appreciate having an opportunity to offer this amendment to promote renewable energy in rural America.

America needs a bold new energy division, and I believe this amendment can help. Our sustainable energy future must include the integration of conservation, as well as new technologies, powered by clean renewable sources such as wind, solar, biomass and biofuels.

□ 2045

Specifically, Mr. Chairman, my amendment would transfer \$2 million from the United States Department of Agriculture Office of the Chief Information Officer to the Rural Energy for America Program.

While I do recognize the importance of funding for the Office of the Chief Information Officer and its role in providing enhanced technology at the Department of Agriculture, this appropriations bill does provide a \$44 million increase for the office compared to last year. I believe it is appropriate to transfer a small amount of that increase, \$2 million, to our Nation's renewable energy efforts. Specifically, again, my amendment shifts this funding to the Rural Energy for America Program, known as REAP. The REAP program funds a wide range of renewable energy projects that stimulate rural economies, help create jobs, and address environmental concerns. This funding promotes energy efficiency and renewable energy production and is directed to farming communities and rural small businesses.

I would also like to emphasize, Mr. Chairman, that in last year's farm bill there is included a new program that has parallel goals to REAP and is designed to create models of energy independence on a rural community level. This new program, the Rural Energy Self-Sufficiency Initiative, authorizes the Secretary of Agriculture to make grants to up to five eligible rural communities annually. The pilot program grants would be used to develop an integrated renewable energy system in order to increase energy self-sufficiency through technologies as well as other renewable sources, such as biofuels, biomass, biogas, geothermal, and wind and solar, resulting in model systems and best practices that could be replicated elsewhere in the Nation.

Because of the importance of this new program, it is my hope that the \$2

million provided in this amendment, should it pass, would be directed to the Rural Energy Self-Sufficiency Initiative as the appropriations process moves forward.

Mr. Chairman, I do believe that renewable energy is changing today's agriculture and rural communities. It is clearly in our national interest to help rural communities integrate a wide variety of renewable energy sources and technologies as we move toward energy independence and environmental security.

New development and signs of interest in renewable energy production are booming, Mr. Chairman, and I am proud that my own State, Nebraska, is a leader in creating green jobs in the country.

This amendment does strengthen Congress' resolve to creatively appropriate monies for the best practices in regards to renewable resources and develop new energy options throughout our country.

I urge its adoption, and I reserve the balance of my time.

Ms. DELAURO. Mr. Chairman, though I plan to support the amendment, I ask unanimous consent to claim the time in opposition.

The CHAIR. Without objection, the gentlewoman from Connecticut is recognized for 5 minutes.

There was no objection.

Ms. DELAURO. This amendment, as has been stated, increases funding for the Rural Energy for America Program by \$2 million, taking that funding from the Office of the Chief Information Officer.

The 2008 farm bill provided significant amounts of mandatory funding for this program, and this bill before us today increases that investment towards energy independence. I did not choose the offset that's included, and we may need to revisit that in conference, but I am a strong supporter of these efforts.

I urge the adoption of the amendment and would ask for a “yes” vote on the amendment.

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

Mr. FORTENBERRY. I would like to thank the chairwoman of the committee for her support of this amendment. It's important. Clearly, we have a similar vision on a bold, new, sustainable energy vision for the country, and I think this is important and will help very much.

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

The CHAIR. The question is on the amendment offered by the gentleman from Nebraska (Mr. FORTENBERRY).

The amendment was agreed to.

The CHAIR. The Clerk will read.

The Clerk read as follows:

OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL RIGHTS

For necessary expenses of the Office of the Assistant Secretary for Civil Rights, \$888,000.

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, \$23,922,000.

OFFICE OF THE ASSISTANT SECRETARY FOR ADMINISTRATION

For necessary expenses of the Office of the Assistant Secretary for Administration, \$700,000.

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, \$326,982,000, to remain available until expended, of which \$224,401,000 shall be available for payments to the General Services Administration for rent; of which \$13,500,000 for payment to the Department of Homeland Security for building security activities; and of which \$89,081,000 for buildings operations and maintenance expenses: *Provided*, That the Secretary can use up to \$69,000,000 of these funds to cover shortfalls incurred in prior year rental payments: *Provided further*, That the Secretary is authorized to transfer funds from a Departmental agency to this account to recover the full cost of the space and security expenses of that agency that are funded by this account when the actual costs exceed the agency estimate which will be available for the activities and payments described herein.

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.), \$5,125,000, 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, \$41,319,000, 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: *Provided further*, That of the amount appropriated, \$13,000,000 is for stabilization and reconstruction activities to be carried out under the authority provided by title XIV of the Food and Agriculture Act of 1977 (7 U.S.C. 3101 et seq.) and other applicable laws.

OFFICE OF THE ASSISTANT SECRETARY FOR CONGRESSIONAL RELATIONS

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of the Assistant Secretary for Congressional Relations to carry out the programs funded by

this Act, including programs involving inter-governmental affairs and liaison within the executive branch, \$3,968,000: *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 of the Office of Communications, \$9,722,000.

#### OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, including employment pursuant to the Inspector General Act of 1978, \$88,781,000, 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, \$43,601,000.

#### OFFICE OF THE UNDER SECRETARY FOR RESEARCH, EDUCATION AND ECONOMICS

For necessary expenses of the Office of the Under Secretary for Research, Education and Economics, \$620,000.

#### ECONOMIC RESEARCH SERVICE

For necessary expenses of the Economic Research Service, \$82,478,000.

#### NATIONAL AGRICULTURAL STATISTICS SERVICE

For necessary expenses of the National Agricultural Statistics Service, \$161,830,000, of which up to \$37,908,000 shall be available until expended for the Census of Agriculture.

#### AGRICULTURAL RESEARCH SERVICE

##### SALARIES AND EXPENSES

For necessary expenses of the Agricultural Research Service 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, \$1,155,568,000: *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 facili-

ties 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 subdivision, 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.

#### 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, \$35,000,000, to remain available until expended.

#### NATIONAL INSTITUTE OF FOOD AND AGRICULTURE RESEARCH AND EDUCATION ACTIVITIES

For payments to agricultural experiment stations, for cooperative forestry and other research, for facilities, and for other expenses, \$708,004,000, as follows: to carry out the provisions of the Hatch Act of 1887 (7 U.S.C. 361a-i), \$215,000,000; for grants for cooperative forestry research (16 U.S.C. 582a through a-7), \$28,000,000; for payments to eligible institutions (7 U.S.C. 3222), \$48,000,000, provided that each institution receives no less than \$1,000,000; for special grants (7 U.S.C. 450i(c)), \$70,676,000; for competitive grants on improved pest control (7 U.S.C. 450i(c)), \$15,945,000; for competitive grants (7 U.S.C. 450(i)(b)), \$210,000,000, to remain available until expended; for the support of animal health and disease programs (7 U.S.C. 3195), \$2,950,000; for the 1994 research grants program for 1994 institutions pursuant to section 536 of Public Law 103-382 (7 U.S.C. 301 note), \$1,610,000, to remain available until expended; for rangeland research grants (7 U.S.C. 3333), \$983,000; for higher education graduate fellowship grants (7 U.S.C. 3152(b)(6)), \$3,859,000, to remain available until expended (7 U.S.C. 2209b); for a program pursuant to section 1415A of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3151a), \$4,000,000, to remain available until expended; for higher education challenge grants (7 U.S.C. 3152(b)(1)), \$5,654,000; for a higher education multicultural scholars program (7 U.S.C. 3152(b)(5)), \$981,000, to remain available until expended (7 U.S.C. 2209b); for an education grants program for Hispanic-serving Institutions (*under* 7 U.S.C. 3241), \$10,000,000; for competitive grants for the purpose of carrying out all provisions of 7 U.S.C. 3156 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, \$3,196,000; for a secondary agriculture education program and two-year post-secondary education (7 U.S.C. 3152(j)), \$983,000; for aquaculture grants (7 U.S.C. 3322), \$3,928,000; for sustainable agriculture research and education (7 U.S.C. 5811), \$14,399,000; for a program of capacity building grants (7 U.S.C. 3152(b)(4)) to institutions eligible to receive funds under 7 U.S.C. 3221 and 3222, \$20,000,000, 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, \$3,342,000; 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), \$1,000,000; for distance

education grants for insular areas under section 1490 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3362), \$1,000,000; for competitive grants for the purpose of carrying out section 7526 of the Food, Conservation, and Energy Act of 2008 to eligible institutions, \$3,000,000; for a new era rural technology program pursuant to section 1473E of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3319e), \$1,000,000; and for necessary expenses of Research and Education Activities, \$38,498,000, of which \$2,704,000 for the Research, Education, and Economics Information System and \$2,136,000 for the Electronic Grants Information System, are to remain available until expended.

#### NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

For the Native American Institutions Endowment Fund authorized by Public Law 103-382 (7 U.S.C. 301 note), \$11,880,000, to remain available until expended.

#### EXTENSION ACTIVITIES

For payments to States, the District of Columbia, Puerto Rico, Guam, the Virgin Islands, Micronesia, the Northern Marianas, and American Samoa, \$485,466,000, 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, \$295,000,000; payments for extension work at the 1994 Institutions under the Smith-Lever Act (7 U.S.C. 343(b)(3)), \$4,321,000; payments for the nutrition and family education program for low-income areas under section 3(d) of the Act, \$68,000,000; payments for the pest management program under section 3(d) of the Act, \$9,791,000; payments for the farm safety program under section 3(d) of the Act, \$4,863,000; payments for New Technologies for Ag Extension under section 3(d) of the Act, \$1,500,000; payments to upgrade research, extension, and teaching facilities at institutions eligible to receive funds under 7 U.S.C. 3221 and 3222, \$21,000,000, to remain available until expended; payments for youth-at-risk programs under section 3(d) of the Smith-Lever Act, \$8,396,000; for youth farm safety education and certification extension grants, to be awarded competitively under section 3(d) of the Act, \$479,000; payments for carrying out the provisions of the Renewable Resources Extension Act of 1978 (16 U.S.C. 1671 et seq.), \$4,008,000; payments for the federally recognized Tribes Extension Program under section 3(d) of the Smith-Lever Act, \$3,000,000; payments for sustainable agriculture programs under section 3(d) of the Act, \$4,568,000; payments for cooperative extension work by eligible institutions (7 U.S.C. 3221), \$44,000,000, provided that each institution receives no less than \$1,000,000; for grants to youth organizations pursuant to 7 U.S.C. 7630, \$1,800,000; payments to carry out the food animal residue avoidance database program as authorized by 7 U.S.C. 7642, \$806,000; and for necessary expenses of Extension Activities, \$13,934,000.

#### INTEGRATED ACTIVITIES

For the integrated research, education, and extension grants programs, including necessary administrative expenses, \$60,022,000, as follows: for competitive grants programs authorized under section 406 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7626), \$45,148,000, including \$12,649,000 for the water quality program, \$14,596,000 for the food safety program, \$4,096,000 for the regional pest management centers program, \$4,388,000 for the Food Quality Protection Act risk mitigation program for major food crop systems,

\$1,365,000 for the crops affected by Food Quality Protection Act implementation, \$3,054,000 for the methyl bromide transition program, and \$5,000,000 for the organic transition program; 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, \$3,000,000; for grants programs authorized under section 2(c)(1)(B) of Public Law 89-106, as amended, \$732,000, to remain available until September 30, 2011, for the critical issues program; \$1,312,000 for the regional rural development centers program; and \$9,830,000 for the Food and Agriculture Defense Initiative authorized under section 1484 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977, to remain available until September 30, 2011.

OFFICE OF THE UNDER SECRETARY FOR  
MARKETING AND REGULATORY PROGRAMS

For necessary expenses of the Office of the Under Secretary for Marketing and Regulatory Programs, \$753,000.

ANIMAL AND PLANT HEALTH INSPECTION  
SERVICE  
SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Animal and Plant Health Inspection Service, including up to \$30,000 for representation allowances and for expenses pursuant to the Foreign Service Act of 1980 (22 U.S.C. 4085), \$881,019,000, of which \$2,058,000 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 \$23,390,000 shall be used for the cotton pests program for cost share purposes or for debt retirement for active eradication zones; of which \$60,243,000 shall be used to prevent and control avian influenza and shall remain available until expended: *Provided*, That funds provided for the contingency fund to meet emergency conditions, information technology infrastructure, fruit fly program, emerging plant pests, cotton pests program, grasshopper and mormon cricket program, the plum pox program, the National Veterinary Stockpile, up to \$1,500,000 in the scrapie program for indemnities, up to \$1,000,000 for wildlife services methods development, up to \$1,000,000 of the wildlife services operations program for aviation safety, and up to 25 percent of the screwworm program shall remain available until expended: *Provided further*, 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 2010, 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, \$4,712,000, to remain available until expended.

AGRICULTURAL MARKETING SERVICE  
MARKETING SERVICES

For necessary expenses of the Agricultural Marketing Service, \$90,848,000: *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.

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 \$64,583,000 (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, including not less than \$20,000,000 for replacement of a system to support commodity purchases, 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 \$20,056,000 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)), \$1,334,000.

GRAIN INSPECTION, PACKERS AND STOCKYARDS  
ADMINISTRATION  
SALARIES AND EXPENSES

For necessary expenses of the Grain Inspection, Packers and Stockyards Adminis-

tration, \$41,964,000: *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 expenses of the Office of the Under Secretary for Food Safety, \$622,000.

FOOD SAFETY AND INSPECTION SERVICE

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), \$1,018,520,000; 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 no fewer than 120 full-time equivalent positions shall be employed during fiscal year 2010 for purposes dedicated solely to inspections and enforcement related to the Humane Methods of Slaughter Act: *Provided further*, That of the amount available under this heading, \$3,000,000 shall be obligated to maintain the Humane Animal Tracking System as part of the Public Health Data Communication Infrastructure System: *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.

Ms. DELAURO (during the reading). I ask unanimous consent that the remainder of the bill through page 22, line 17, be considered as read.

The CHAIR. Is there objection to the request of the gentlewoman from Connecticut?

There was no objection.

The CHAIR. The Clerk will read.

The Clerk read as follows:

OFFICE OF THE UNDER SECRETARY FOR FARM  
AND FOREIGN AGRICULTURAL SERVICES

For necessary expenses of the Office of the Under Secretary for Farm and Foreign Agricultural Services, \$662,000.

FARM SERVICE AGENCY  
SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Farm Service Agency, \$1,253,777,000: *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.

PART B AMENDMENT NO. 6 OFFERED BY MR. GARRETT OF NEW JERSEY

Mr. GARRETT of New Jersey. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 6 offered by Mr. GARRETT of New Jersey:

Page 23, line 5, insert after the dollar amount the following: "(reduced by \$5,000,000)".

Page 29, line 7, insert after the dollar amount the following: "(increased by \$5,000,000)".

The CHAIR. Pursuant to House Resolution 609, the gentleman from New Jersey (Mr. GARRETT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. GARRETT of New Jersey. Mr. Chairman, my amendment would add \$5 million to the Natural Resources Conservation Service's Conservation Operations Account and subtract \$5 million from the Farm Service Agency salaries.

More than 80 percent of the funds under the NRCS Conservation Operations Account provide technical support to help farmers and other landowners conserve and protect their land and resources. Currently, there is a significant backlog of requests for conservation assistance, and many farmers are turned away by the USDA when they apply to participate in conservation programs due to insufficient funding.

New Jersey, my home State, is one of the most densely populated States in the country, and more and more scarce land disappears every day. Our farmers are eager to share in the cost of protecting our environment, and we must ensure that they have the knowledge and the ability to do so in the appropriate manner.

So I would like to commend the chairwoman and the ranking member for their work in attempting to address this important issue. And while I do support very strongly the Farm Service Agency, their salaries and their expense account, under this bill it is slated for a \$92 million increase, and with so many of our Nation's farmers struggling to conserve their land and with development rapidly eating up our cherished resources, I believe this is a priority.

I will close with this: More than 19 years ago, when I first ran for public office in my State, I believed we were not doing enough to preserve our open space and our farmlands. I believe that this amendment continues to move us now in the right way and towards that goal. I ask all of my colleagues to support this amendment.

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

Ms. DELAURO. Mr. Chairman, though I plan to support the amendment, I ask unanimous consent to claim the time in opposition.

The CHAIR. Without objection, the gentlewoman from Connecticut is recognized for 5 minutes.

There was no objection.

Ms. DELAURO. This amendment increases the funding for the Natural Resources Conservation Service Account by \$5 million by decreasing the Farm Service Agency salaries and expenses.

While I am very supportive of the efforts of this amendment with regard to technical support and of easing the backlog, I must say that I do not think it is a good offset, but we did not write the language, and we will fix the offset in conference.

With that, I urge the adoption of the amendment and ask for a "yes" vote on this amendment.

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

Mr. GARRETT of New Jersey. I appreciate that. I just have a question while we're on the floor, just for my edification. Are there other areas that you would suggest now where the offset should come from?

Ms. DELAURO. Well, what I would like to do is to see what the best opportunities are, but I have indicated my support for the amendment.

Mr. GARRETT of New Jersey. I understand. This is just for my edification.

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

The CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. GARRETT).

The amendment was agreed to.

The CHAIR. The Clerk will read.

The Clerk read as follows:

#### 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), \$4,000,000.

#### GRASSROOTS SOURCE WATER PROTECTION PROGRAM

For necessary expenses to carry out well-head or groundwater protection activities under section 12400 of the Food Security Act of 1985 (16 U.S.C. 3839bb-2), \$5,000,000, to remain available until expended.

#### 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, such sums as may be necessary, 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), boll weevil loans (7 U.S.C. 1989), direct and guaranteed conservation loans (7 U.S.C. 1924 et seq.), and Indian highly fractionated land loans (25 U.S.C. 488), to be available from funds in the Agricultural Credit Insurance Fund, as fol-

lows: farm ownership loans, \$1,892,990,000, of which \$1,500,000,000 shall be for unsubsidized guaranteed loans and \$392,990,000 shall be for direct loans; operating loans, \$1,994,467,000, of which \$1,150,000,000 shall be for unsubsidized guaranteed loans, \$144,467,000 shall be for subsidized guaranteed loans and \$700,000,000 shall be for direct loans; Indian tribe land acquisition loans, \$3,940,000; conservation loans, \$150,000,000, of which \$75,000,000 shall be for guaranteed loans and \$75,000,000 shall be for direct loans; Indian highly fractionated land loans, \$10,000,000; 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, \$21,584,000, of which \$5,550,000 shall be for unsubsidized guaranteed loans, and \$16,034,000 shall be for direct loans; operating loans, \$80,402,000, of which \$26,910,000 shall be for unsubsidized guaranteed loans, \$20,312,000 shall be for subsidized guaranteed loans, and \$33,180,000 shall be for direct loans; conservation loans, \$1,343,000, of which \$278,000 shall be for guaranteed loans, and \$1,065,000 shall be for direct loans; and Indian highly fractionated land loans, \$793,000.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, \$326,093,000, of which \$318,173,000 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, operating and conservation 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

For necessary expenses of the Risk Management Agency, \$80,325,000: *Provided*, That the funds made available under section 522(e) of the Federal Crop Insurance Act (7 U.S.C. 1522(e)) may be used for the Common Information Management System: *Provided further*, 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 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

##### (INCLUDING TRANSFERS OF FUNDS)

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