POINT OF ORDER

Mr. LUCAS. Madam Chair, I make a point of order against section 743 which begins on page 78, line 24, and ends on page 79, line 2, in that it violates House rule XXI, clause 2, by changing existing law and inserting legislative language in an appropriation bill.

I ask for a ruling from the Chair.

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

Mr. MCGOVERN. Madam Chair, I wish to be heard.

The Acting CHAIR. The gentleman from Massachusetts is recognized.

Mr. MCGOVERN. Thank you, Madam Chair. Let me clarify what insisting on this point of order means.

It means that the amendment that Ms. DELAURO offered in committee, which was approved in the Appropriations Committee, is nullified, which means that Brazilian cotton farmers get subsidies and poor pregnant women and children do not get the money for WIC.

□ 1720

I have nothing against Brazilian cotton farmers, but Brazil's economy is doing pretty good right now.

The Rules Committee could have protected the money for WIC. The Rules Committee waived points of order against a whole bunch of stuff in this bill except for three provisions. So it wouldn't have been unusual or extraordinary for the Rules Committee to protect this provision. Many of us pleaded with the committee to do just that, to respect the work of the Appropriations Committee when it came to protecting WIC, when it came to protecting poor pregnant women and children.

Madam Chair, my friends on the other side of the aisle say all the time that they're with us in trying to cut excessive subsidies and putting the focus back on the people here in the United States who need help. This would have been an opportunity. If not now, when are we going to do this?

So, Madam Chair, I would hope that my colleagues on the other side of the aisle would reconsider and not insist on their point of order. I think poor pregnant women and children in this country who benefit from WIC are more important right now than subsidizing Brazilian cotton farmers.

Mr. KINGSTON. Madam Chair, I would like to speak to the point of order.

The Acting CHAIR. The gentleman from Georgia is recognized.

Mr. KINGSTON. The gentleman says, If not now, when? It is our intention to restore this at the proper place in the bill, the DeLauro amendment. I wanted to clarify that because we've discussed that, and we intend to follow through with that.

The Acting CHAIR. The Chair is prepared to rule.

The Chair finds that this section addresses funds in other acts. The section, therefore, constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the section is stricken from the bill.

The Clerk will read.

The Clerk read as follows:

SEC. 744. None of the funds appropriated or otherwise made available by this Act or any other Act may be used to pay the salaries and expenses of personnel of the Department of Agriculture to provide any benefit described in section 1001D(b)(1)(C) of the Food Security Act of 1985 (7 U.S.C. 1308–3a(b)(1)(C)) to a person or legal entity if the average adjusted gross income of the person or legal entity exceeds $250,000.

POINT OF ORDER

Mr. LUCAS. Madam Chairman, I make a point of order against section 744 which begins on page 79, line 3, and ends on page 79, line 10, in that it violates House rule XXI, clause 2, by changing existing law and inserting legislative language in an appropriation bill.

I ask for a ruling from the Chair.

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

The Chair finds that this section addresses funds in other acts. The section, therefore, constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the section is stricken from the bill.

The Clerk will read.

The Clerk read as follows:

SEC. 745. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability.

SPENDING REDUCTION ACCOUNT

SEC. 746. The amount by which the applicable allocation of new budget authority made by the Committee on Appropriations of the House of Representatives under section 302(b) of the Congressional Budget Act of 1974 exceeds the amount of proposed new budget authority is $0.

Mr. KINGSTON. Madam Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. CONAWAY) having assumed the chair, Mrs. MYRICK, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2112) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes, had come to no resolution thereon.

RESIGNATION AS MEMBER OF COMMITTEE ON SMALL BUSINESS

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Small Business:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 15, 2011.

Hon. JOHN A. BOEHNER,
Speaker of the House,
The Capitol, Washington, DC.

DEAR MR. SPEAKER: Due to my appointment to the House Committee on Transportation and Infrastructure, I hereby resign my position with the House Committee on Small Business.

It has been an honor to serve as a Member of the Committee on Small Business, and I have been proud to work hard with my colleagues to find solutions to the problems that small businesses face in America. I look forward to representing the people of the 3rd Congressional District of Tennessee as a Member of the House Committee on Transportation and Infrastructure.

I appreciate the opportunity to have served on the House Committee on Small Business, and I look forward to working with you in the future.

Sincerely,

CHUCK FLEISCHMANN,
Member of Congress.

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

There was no objection.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 8 p.m. today.

Accordingly (at 5 o'clock and 25 minutes p.m.), the House stood in recess until approximately 8 p.m.

□ 2005

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. KINGSTON) at 8 o'clock and 5 minutes p.m.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

The SPEAKER pro tempore. Pursuant to House Resolution 300 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2112.

□ 2006

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2112) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and related agencies programs for the fiscal year ending September 30, 2012, and for other purposes, with Mr. REED (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, the bill had been read through page 80, line 2.

AMENDMENT OFFERED BY MR. KINGSTON

Mr. KINGSTON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. ____. Each amount made available by titles I through VI (other than an amount required to be made available by a provision of law) is hereby reduced by 0.78 percent.

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

Mr. KINGSTON. Mr. Chairman, this amendment reduces certain accounts in the bill specified in the amendment by 0.78 percent, and it fulfills a commitment which the minority and the majority had discussed earlier regarding WIC funding.

I yield back the balance of my time.

Mr. FARR. We accept the amendment.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. KINGSTON).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. YOUNG OF ALASKA

Mr. YOUNG of Alaska. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. ____. None of the funds made available by this Act to the Food and Drug Administration may be used to approve any application submitted under section 512 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360b) for approval of genetically engineered salmon.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Alaska. Mr. Chairman, my interest in here is because I am from Alaska, and we have the finest wild salmon in the world. And we have people that are trying to—and especially under NOAA and FDA—trying to approve the fact that they have genetically engineered a salmon. That's not natural.

□ 2010

And our goal is, we have a supply of natural wild salmon for the State of Alaska and for this Nation, because I think that's crucially important, especially in this day when we have all those that accuse us of having artificial things, you know, pesticides, et cetera.

This is a good amendment. It's an amendment supported by both sides of the aisle. It's not just Alaska. This is also for California, Oregon, and the rest of it. But mostly, I am the Congressman from Alaska. I think it's crucially important we understand that this should not be allowed, for the FDA to say, okay, a genetically raised salmon—I call it a Frankenstein fish—should never be allowed in our markets.

I have a group of individual Alaskans who not only make their living, but they are proud of their product. To have this occur and be promoted by the Federal Government is wrong.

So I'm trying to save money. But I'm also saying genetically we should never allow it to happen in the fishing industry.

I yield to the gentleman from California (Mr. FARR).

Mr. FARR. It's my pleasure to join you in this amendment. I actually have the best salmon caught in the lower 48 in Monterey Bay. A history of fishing in Monterey, used to be the sardine capital of the world. We're very sensitive to the fact that people are trying to mess around with the natural process and the Food and Drug Administration is set to approve genetically engineered salmon through a process the FDA uses to approve new drugs for animals. There's something wrong with the fact that in the approval process our food is now treated the same as animal drugs.

If approved, genetically engineered salmon would be the first genetically modified animal allowed onto the American dinner plate. Approval of genetically engineered salmon poses serious threats to human health, our fishing communities, and our wildlife stock fish.

They have no long-term studies on the safety of genetically engineered fish. There could be grave, unintended consequences on human health. Preliminary studies show that the compounds in genetically engineered salmon may be linked to cancer and severe drug allergies.

We've seen that the dominant method of raising salmon in other parts of the world is an open net, these pens in the ocean, and farmed fish escape these facilities every year. The impact of genetically engineered salmon escaping could be detrimental to wild stocks. The list goes on and on and on.

Our fishing communities are already facing challenges, and genetically engineered salmon would have an additional effect of lowering wild salmon prices, as already seen with normal farmed salmon. Lower prices, combined with declines in wild salmon stocks, would be economically detrimental to our fishermen, our fishing culture, and our coastal communities. It is unnecessary to genetically engineer salmon.

For these reasons, I support Mr. YOUNG's amendment that prohibits funds to the FDA to approve genetically engineered salmon.

Mr. YOUNG of Alaska. I yield back the balance of my time.

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

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

Mr. KINGSTON. I do not have the expertise that my friend from Alaska has on it, but I wanted to say this. Earlier, or actually during the markup, Mr. REHBERG offered an amendment about the FDA using sound science. And I do believe, in this case, the FDA is using sound science in a process that was approved in January 2009, and they are going through a process right now to make sure that this product does not have a problem as respects human consumption. I think that, of course, should be the number one issue.

There are also some other considerations in terms of food supply, feeding more people, which is something that we all have debated on this bill. And also there is an issue with me about some jobs. So I'm concerned on this because it does seem like a pretty major change in my philosophy of sound science.

I yield to my friend from Alaska, who I think is out of time.

Mr. YOUNG of Alaska. I thank the chairman.

I believe whoever has given him that information is wrong. We have a product made in the United States naturally. Why would we want someone to create a Frankenstein fish to compete against a naturally created God-given gift, and have it promoted by supposedly science?

There's no science in this. In fact, they were trying to do and say we have to feed the world with artificial means. And I'm saying, okay. Do it someplace. But don't you do it with my and our salmon.

Mr. FARR, listen to me very carefully. This is a very, very important thing because this is the greatest thing we have going, Alaskan natural wild salmon being sold in the market and the benefit, what they can do to have it replaced by a genetic Frankenstein fish. I'm saying this is wrong. All due respect to the chairman.

What science are they talking about? They have a bunch of people created by the government that's going to take and put in, I call it traps or nets, and create a fish that's fed quickly. They say it can grow quicker, we're home.

Well, what people are you talking about? Mr. DICKS, you better be listening because you catch most of my salmon. Don't you forget it. You had better stand on the floor and defend this because you're in deep trouble if you don't. I'll tell you that right now.

The Acting CHAIR. The gentleman will please direct his comments to the Chair.

Mr. KINGSTON. Reclaiming my time, I don't know all the ins and outs of this, but I do know that we're constantly getting on the FDA to use more sound science, less politics, and to have more transparency, and it appears that that's what they're doing here. And they may come out against genetically modified salmon, but they are just looking at it right now to determine.

And with respect to the food supply, if you could safely produce genetically modified fish, you could feed a great portion of the world with it. So I have some concerns on it, but I did want to oppose the amendment.

Ms. WOOLSEY. Mr. Chair, I rise in strong support of my colleague from Alaska, Mr. YOUNG's amendment to prohibit funding for the

Food and Drug Administration to approve genetically engineered salmon.

The FDA is considering an application to sell patented genetically engineered salmon for human consumption. This fish would be given a gene from an eel-like Pout fish and a growth hormone from the Pacific Chinook salmon, which would allow it to grow twice as fast as traditional Atlantic salmon.

If the FDA approves the request, it would be the first genetically engineered animal approved for human consumption, and it would open the door for many more.

Unfortunately, the FDA evaluation process has lacked transparency, failing to provide the public adequate information or sufficient time to provide comment or express concern. And a recent poll found that 91 percent of Americans oppose FDA approval of genetically engineered animals for human consumption.

Mr. Chair, I'm also concerned about the potential commercial impact of G.E. salmon. Salmon fishermen in my district and many others along the Pacific coast have been devastated in recent years by fishery closures. Last year's salmon season was limited to just 8 days because of the continued steep decline in the salmon population.

Because G.E. salmon are more sexually aggressive and resistant to environmental toxins, their escape would pose a catastrophic threat to wild salmon populations.

If just 60 of these G.E. fish find their way into a population of sixty thousand wild salmon, the wild species would fade into extinction in a matter of decades.

While its producer claims that genetically engineered salmon would be sterile, FDA's own documents show that five percent of this G.E. salmon would, in fact, be able to reproduce.

Each year, millions of farmed salmon escape from open-water nets, threatening wild fish populations. Even if a small number of fertile G.E. salmon spilled into nature, our wild salmon and fisherman would be suffering the consequences for years to come—possibly for evermore.

I want to thank my good friend DON YOUNG for his hard work on this important issue and his leadership as co-chair of the Congressional Caucus on Wild Salmon . . . even though he considers my salmon "bait" for his fishers.

I look forward to continuing to work with him and other concerned colleagues to protect our natural fisheries and stop this "frankenfish."

I urge my colleagues to support this amendment. For consumer safety, for the purity of our waters, and for the continued viability of our fishing industry . . . we must block funding for the FDA to approve genetically engineered salmon.

Mr. KINGSTON. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Alaska (Mr. YOUNG).

The amendment was agreed to.

AMENDMENT OFFERED BY MS. PINGREE OF MAINE

Ms. PINGREE of Maine. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. ____. None of the funds made available by this Act may be used (1) to provide electronic notifications to the Committee on Agriculture of the House of Representatives on travel relating to any "know your farmer, know your food" initiatives or (2) in contravention of the Agriculture and Food Research Initiative priority research area specified in subsection (b)(2)(F) of the Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 450i).

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. PINGREE of Maine. Mr. Chair, this amendment would combat the misguided report language written to attack local and regional food systems. By passing this amendment, we will send an important message to farmers, consumers, and community leaders around the country: Local and regional food systems are critically important. They provide economic opportunities for rural communities and healthy food for consumers.

Local food systems are the backbone of economies across the country. In order to ensure local food systems work to their maximum potential, Congress must support research, thriving programs, and devote more, not less, funding to enhance this work.

You know, no matter what group I'm talking to, whether it's members of the credit unions or realtors or teachers, when I start talking about improving the quality of food we serve our kids, improving local food systems, and knowing where your food comes from, I look around the room and everybody is nodding. Across the board, these issues are important to people, and this is where there is real energy for growth in the economy.

The language included in the report was designed to criticize and hamstring efforts that are underway at the USDA to create jobs, to increase farm income, and to bolster the economy through the development of local and regional food systems. The language targets local and regional food system development in two ways:

First, it demands overly burdensome reporting requirements of the USDA's Know Your Farmer, Know Your Food initiative. USDA developed this initiative to streamline the implementation of existing programs authorized by Congress in the last farm bill.

□ 2020

"Know Your Farmer—Know Your Food" is not a standalone program and does not have its own budget. Creating additional burdensome reporting requirements would delay program implementation and distract the USDA from addressing the economic challenges of rural communities.

Second, the report language expresses concern with USDA research, education, and extension activities associated with local and regional food systems through the Agriculture and Food Research Initiative, AFRI.

While Congress sets broad research policies for USDA, Congress does not usually dictate what research USDA cannot do; nor does Congress usually substitute its opinion of what's good science for the professional judgments of competitive grant peer review panels. By singling out a small piece of the agricultural research agenda and by substituting the committee's judgment for that of researchers and educators, the Agriculture appropriations bill report sets up a roadblock to innovation and diversity in American agriculture and growth in the rural economy.

In response to this misguided report language, this amendment will prohibit the USDA from using funds to fulfill the additional and burdensome reporting requirements proposed for Know Your Farmer—Know Your Food. The amendment would also prohibit USDA from using funds to carry out activities contrary to the current research priorities that Congress established in the last farm bill.

I know my colleagues on the other side of the aisle are going to say it's time to cut budgets and reduce deficits. I also believe in fiscal responsibility. This is not about fiscal discipline; this is about priorities.

Last year, we spent a staggering $548 billion to fund the Department of Defense and an equally unbelievable $158 billion on continued operations in Iraq and Afghanistan. By comparison, the entire Agriculture Department is funded with 20 percent of what we spend on defense, and the research priorities we are talking about in this amendment are funded with one-half of 1 percent of the total agriculture budget.

I urge my colleagues to join me in supporting farmers, in supporting local food production, and consumers who want to know where their food comes from. It's good for our local communities, our local economies, and it's good for our country.

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

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

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

Mr. KINGSTON. Mr. Chairman, I oppose this amendment, and I don't quite understand what the problem is with the bill language at all.

Here's what it does: the report language, which this amendment tries to strike, it simply tells the Secretary of USDA to notify the committee of any trips related to the Know Your Farmer initiative and include the agenda and the cost to the American taxpayers. It doesn't prevent them from doing this. It simply says let us know. It also says put this information on the Web page. So if Know Your Farmer is that important, why would USDA have any opposition to this at all? In fact, I don't know that USDA does.

I also want to say that, as somebody who represents rural southeast Georgia, there is this nostalgic idea that somehow the further food travels the more evil it becomes. But if you look at a plate of fresh vegetables that you

may have eaten sometime today, that food traveled a long way. In fact, asparagus travels a long way. Lettuce—my friend, Mr. FARR, gave me an article earlier today. I think 59 percent of the lettuce in America comes from his one district.

Now, if we start confining that to Monterey County, it might be great for the folks in Monterey County, but I don't mind eating California lettuce because if the California farmers can do it for less money and I can get lettuce year round for less money, that's not a bad thing. So I think some of the assumption that food traveling is a bad idea, I think it's flawed in itself.

But I want to get back to this bill report language. It simply says to the USDA, let us know how much you're going to spend. And why is that so important? I want my friend from California to know that if you look through the USDA budget request for FY12, there's not one mention of Know Your Farmer—Know Your Food. It's an initiative. There has not been a budget request for it. If there was a budget request for it for $3 million or $30 million, then we could have something we could be debating about.

But what it is, is an initiative; and all we're asking is, if you go forward with this—and we don't stop them from going forward with it—we're just saying we want to know how much it's going to cost. So I do not believe that it's bad report language at all, and I strongly oppose the amendment.

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

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

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. FARR. I strongly support this amendment because the language in the bill—I'm going to read it to you. It's one paragraph, but it's the most draconian language because we've never done this before ever in an ag bill. It says: ''The committee directs the Department to provide an electronic notification to the committee at least 72 hours prior to any travel in support of the Know Your Farmer—Know Your Food initiative, and such notification shall include the agenda of the entire trip along with the cost to U.S. taxpayers. Additionally, the committee directs the Department to post media advisories for all such trips on its Web site, and that such advisories include the same information.''

My God, we don't do this to know your soldier, to know your veteran, to know your school teacher, to know anybody else that's in the public service, to know your law enforcement officer; and yet they're doing this for Know Your Farmer?

This program, as Mr. KINGSTON pointed out, we just had the ag report come out and I'm very proud that one county in my district does $4 billion worth of agriculture, as pointed out in that report, that grows 59 percent of all the lettuce consumed in the United States in one county in California that I represent. Part of that is this program now that they're doing, which is Know Your Farmer—Know Your Food.

Consumers can go with their cell phones into a grocery store; and because of the barcode there, they can ZIP it and it immediately comes up the farmer who grew that food saying this is who I am and this is where I grew it and this is how many days it takes to get to you, and all the things you might want to—if we're going to educate people about nutrition, I can't think of a more exciting way to do it.

And to require that the Department has to essentially do this gestapo, looking at every time you move you have to report to a higher authority on your initiative and on your entire trip and the agenda and cost, we don't do that for anybody else in the Federal Government, and I don't think we should do it for our farmers or for our members of the U.S. Department of Agriculture who are supporting our farmers.

So I support this amendment very strongly.

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

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Maine (Ms. PINGREE).

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

Ms. PINGREE of Maine. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 1 OFFERED BY MS. FOXX

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

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

SEC. ____. None of the funds made available by this Act may be used to support any Know Your Farmer, Know Your Food initiative of the Department of Agriculture.

The Acting CHAIR. The gentlewoman from North Carolina is recognized for 5 minutes.

Ms. FOXX. Mr. Chairman, it's very interesting that I came into the Chamber at this time because my amendment also has to do with Know Your Farmer—Know Your Food.

I am very concerned about this program because it is not an authorized program by the Congress. I am very concerned that we have our executive branch off doing all kinds of things that it has no business doing, from fighting wars to running programs that they weren't authorized to run.

This program, in my opinion, conducts duplicative marketing methods by taking funds from programs that already exist within USDA through grants and program management activities.

□ 2030

All of these entities within the USDA already have marketing tools to reach out to applicants in the local community and work with them. Programs that issue grants from USDA would not be affected or lose a single cent of funding from my amendment. Let me repeat: Grants and program management activities from USDA do not lose a cent of funding under my amendment. Rather, it would strike the redundant Know Your Farmer—Know Your Food effort by the USDA to advertise their programs and ensure that the money in the grants and in the program management activities would be spent on the activities that are authorized. My staff has been told by people at the USDA that grant issuing and farmer and consumer programs will continue to operate as normal without this duplicative effort.

Mr. Chairman, there has been a lot of erroneous information put out there in relation to my amendment, and I would like to take some time to clear it up.

It doesn't affect any USDA grant or program management funds already existing because Know Your Farmer—Know Your Food does not issue grants. Nor does it manage any programs. But it is a circumvention of the authority and defeats the intent of Congress when we are the ones who should be authorizing programs and budgets. So I think that this is a program that we do not need, and I believe that it should be abolished, because when the USDA wants a program, it should be coming to the Congress to get authorization for that program.

There is a specific violation against establishing a program in the authorization that would have set up slush funds in the Secretary's office, and I think this is similar to that. It allows the department to take money from existing programs, put it into this program, and spend them the way that they wish to, and I don't think that is an appropriate expenditure of funding that we have authorized.

Therefore, I urge passage of my amendment.

I yield back the balance of my time.

Mr. FARR. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. FARR. Mr. Chairman, I rise in opposition because I cannot, for the life of me, understand why you are so afraid of Know Your Farmer—Know Your Food. They say, well, we need to have this program authorized. My god, we went to war without authorizing it. We spent all that money, and half the people don't even question it. And you want to question Know Your Farmer—Know Your Food?

I think this is a direct attack on the White House initiative, which is about

nutrition, which is about trying to get people—I mean, we talked about this yesterday, about how you have places in this country that are food deserts. You have places where there are no grocery stores. There are 7–Elevens. They don't have fresh fruits and vegetables. People can't go down to a local store and find fresh fruits and vegetables.

So what do we do? This committee puts money into the USDA to help farmers markets get established in these tough areas, to encourage farmers to come in, and at the same time teach people who have never shopped for fresh fruits and vegetables, never been to a farmers market.

We have actually tied in, in my district, the issuing of food stamps and WIC vouchers so that they will spend them right there, and 65 percent of the income that comes to the farmers at the farmers markets comes from them.

So this is all part of the initiatives to get people to know about agriculture. Milk doesn't come from a carton. Food doesn't come from a grocery store. It gets grown somewhere by a farmer, he and his wife. And we are trying to get kids to know something about agriculture. We are putting in school gardens. All of this is part of Know Your Farmer—Know Your Food, and you want to strike it.

What is this? Is this some kind of conspiracy that you are afraid of? People might learn a little bit about where food comes from in America, and there is organic food and that you have choices and you just don't have to eat everything that is packaged and processed and full of salts and sugars and additives and preservatives?

What are we afraid of? What are we afraid of? My God, to strike it, or tell the department that they can't do this, I think it is not in our best intentions, and it is not smart nutrition.

We are trying to get people, I know, because I am trying to lose weight and it is a very hard thing to change your character, to change your eating habits. Unless we do that, we are going to grow a lot of Americans who aren't going to be very healthy because they don't know their farmer and they don't know their food. And if you strike this ability for the department to go out and do that kind of outreach, we are going to have a less healthy America.

I yield back the balance of my time.

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

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. FARENTHOLD. You know, we in this Congress or Congresses of the past have ceded a lot of our authority to executive agencies. We have given them lots of power to regulate. They are taking over and doing an awful lot. Know Your Farmer—Know Your Food is another example of an agency going beyond what needs to be done and is something I feel they should come back to Congress for.

With that, I would like to yield to the gentlewoman from North Carolina (Ms. FOXX).

Ms. FOXX. I want to thank my colleague from Texas for yielding to me, and I want to respond to our colleague from California.

I am not afraid of a program. I am afraid, as my colleague from Texas has indicated, of the executive branch continuing to overstep its bounds and develop programs that have no authorization and do the things that it has no business doing without authorization from Congress.

I find it interesting that my colleague would bring up the fact that we went to war without authorization. I believe that was his President who did that, and I voted resoundingly not to do that.

I also want to sympathize with my colleague from California. I am certainly doing my best to lose weight, too. I think it is a struggle that most of us, particularly in this body, have. But I can tell you that I am not looking to the Department of Agriculture to give me my nutrition information. I know how to find that nutrition information, and I think most Americans know how to do that, and we don't need a special program in the Department of Agriculture to do that.

We have got to commit to bringing government spending under control, and we are going to do everything that we can. While no money will be cut from the appropriations by this amendment, it removes a program that is not authorized that gives part of the Department of Agriculture an argument for why they need money.

I think that in many cases what happens in these executive branch departments is that when their own entity begins to lose its need for being, they begin to look out there for, What is the latest trend? What can we do in this Department to justify our existence? I think that that is what happens in many, many cases, and you get the continuation. As Ronald Reagan said, the nearest thing to immortality is a Federal Government program, and I think that is what happens in many departments, not just the Department of Agriculture.

I have great respect for much of what the Department of Agriculture does, and I think it is providing vital services in many areas. But, again, this is not an area that we need the Federal Government to be involved in. We don't need this program.

Frankly, my colleague asked me what I am afraid of the program for. What I don't understand is why our colleague from Maine doesn't want reporting from this program. He didn't ask her that question. Why is she concerned that we ask for reporting mechanisms? Because we have asked the Department, How much money are you spending on this program? They cannot answer. What effect are you having? They cannot answer. There are no results. There is no cost-benefit analysis.

It is time that any program that says, We can't tell you how much we are spending; we can't tell you what we are doing; we can't tell you if we are having any effect, to be done away with. And any program that answers a Member of Congress that way should be immediately eliminated.

Mr. FARENTHOLD. Reclaiming my time for just a second, I too am trying to lose weight and would much prefer to work with my doctor and trainer than the USDA.

I yield back the balance of my time.

Ms. PINGREE of Maine. Mr. Chair, I move to strike the last word.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. PINGREE of Maine. Mr. Chairman, I just wanted to engage a little bit more in this conversation that we had, both about the previous amendment and about my good friend from North Carolina's concern about this particular program called Know Your Farmer—Know Your Food.

□ 2040

I have the great privilege of serving on the Agriculture Committee. I've heard the Secretary speak to us about his interest in increasing the number of farms in our country, in getting to know our farmers better, and in making sure people have more knowledge about where their food comes from.

I have to just stand back and say for a minute that it's after 8:30 on a busy night. We're still in the middle of debating this bill at a time when our economy is in peril, when we have huge challenges before us, when we are at war in two countries. I just personally have to say I am baffled about why we are even having this debate. I was baffled about why this report language would be there that slows down research on local farming, that tries to stop a program that's not even funded, and that coordinates a lot of good efforts going on in the Department of Agriculture.

I will say, I kind of think back to the way I look at our country. We were based on agriculture and farming. I had the good fortune to be born in Minnesota even though I represent Maine. Both sets of my grandparents were Scandinavian immigrants. They came because there was rich farmland, beautiful opportunities. My grandfather was a dairy farmer. My uncle was a dairy farmer. My cousin still runs a farm and works with livestock. I went to college to study agriculture, and I own my own farm today.

So I think about, isn't this what America is all about—knowing your farmer? knowing where your food came from? understanding what the basic principles are of growing and of using our land? What in the world are we talking about? It's as if black is white and white is black and as if everything is turned upside down.

I grew up in Minnesota and Maine. Both States have a rich farming heritage. We couldn't be more proud of the families and of the people who work hard on the land. We couldn't be more proud of having vigorous farmers' markets, of having people who are able to

go to a farm stand and say to the farmer, ''How did you grow this? What's behind this? Tell me about what's growing in your field.'' I mean, this is America. This is how our country was built.

If there is one tragedy that's going on today, it's the reduction in the number of farms and in the families who can no longer hold onto their farms, whose mortgages are being foreclosed on, who don't have enough markets. If there is anything the Secretary is telling us it is that we want more people to know about their farms, that we want to have local access to farming, that we want to have people come to farmers' markets.

I spend a lot of time visiting school cafeterias, and many of the schools in my district are very engaged with buying food locally. They realize that, if they're going to deal with childhood obesity, one of the things they have to do is get kids to eat more vegetables. One thing that really works is to have those young people know the farmers, and many schools have little gardens out back.

I visited Longfellow Elementary School in Portland, Maine, just recently. Those kids have a little plot of carrots. It's not that every lunch has one of those carrots on the menu, but it's for those kids to say, ''I grew a carrot, and now I want to eat more of them.'' I was at the Bonny Eagle Middle School. They have a little greenhouse. I sat down to eat with those kids, and they were eating kale, kale and garlic; and they were proudly showing it off to me about how they grow kale, about how they know where it comes from. Many of them have visited with farmers. They've seen the farmers come down the road.

I can't possibly imagine why anyone would want to put language in that says you have to strike a program like this that's not even funded, that's just a way of the Secretary saying this is a good American tradition. It's a tradition in North Carolina, I am sure, where people are proud of their farmers and, in Maine, where we are exceptionally proud of the fact that the average age of our farmer is going down. We have more young people who want to go into farming. We have more and more acreage going into farming, which is a reversal of the trend that has been going on in our country for a long time. This is good for our health, and it's good for our environment. Fundamentally, this is a jobs bill, and that's what we're supposed to be here talking about. Every young person who has an opportunity to go into farming today and every family that gets to hang onto a family farm increases the number of jobs that are going on in our country.

What do we want this to turn into, big corporate agriculture where everything has to be trucked around the world?—where our carrots come from Brazil and our strawberries come from somewhere else in South America and where we buy our food from China? I mean this is America. This is a tradition of our country. How could we possibly think that anything is wrong with promoting or researching local foods and having a program that just coordinates it all?

Ms. FOXX. Will the gentlewoman yield?

Ms. PINGREE of Maine. Absolutely not. As much as I appreciate my colleague from North Carolina, I'm not giving up one second to talk about the fact that in my State, we are proud of our farmers. We are proud of our big farms that grow potatoes and blueberries and that grow apples. We are proud of our fishermen, and we are proud of the fact that more young people want to get into farming.

There are more markets for farming than there ever were before today. Part of it is because people like to buy their food locally because they are so excited about the opportunity of going to a farm stand where you actually see the farmer, where you see how it's grown, where you feel comfortable about what goes into your food, where you know how it was slaughtered, where you know so much more about it, where we're raising our kids to say, ''You know what? Vegetables are good for you,'' and here they are right in front of you.

I can't possibly imagine why this report language was there in the first place, why my colleague would want to strike everything about Know Your Farmer—Know Your Food.

I yield back the balance of my time.

Mr. KINGSTON. I move to strike the last word.

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

Mr. KINGSTON. Mr. Chairman, I want to make sure I answer this question, because I'm hearing from our colleague that she can't possibly imagine why we are against the program. We are against it because it's not authorized.

The President of the United States is now bombing in Libya. By the way, I voted with the Kucinich amendment because I feel very uncomfortable with an unauthorized bombing as the use of force in Libya. The Federal Government frequently obligates the taxpayers to new programs. Yet the United States Congress hasn't had an opportunity to vet these programs or to vote on them, so I, myself, don't understand why that is a problem that we can have this transparency.

Now, as I've listened to this, I've kind of felt, well, Know Your Farmer—Know Your Food is one of these harmless little Washington sort of ''feel good about things'' initiatives, but I'm beginning to think it's just one big databank. I don't know why the USDA needs to know all of this information about the farmers. I'm wondering about that. If we want to help farmers—and I've had the opportunity of representing lots of farmers for a long time—I'm going to give you seven things that I thought about in just sitting here during the course of the last speech.

Number one: This administration has declared war on the community banks, which are the fiber and the heart of small communities. That's where farmers get their loans. Farmers need credit. We need stability and banking laws to help farmers.

Number two: We need consistent regulations and regulations that don't send the EPA out on the farm to play ''I gotcha.'' You may know right now, Mr. Chairman, that for organic chickens—and I know my friend from California probably knows this—you have the FDA requiring that they be raised on a slab of concrete and the USDA saying, no, they can't be. So we have two Federal agencies with two different regulations for one product. Farmers need regulatory consistency.

Number three: We need an H–2A program. Absolutely, we've got to get labor out there and a good guest worker program that works.

Number four: We need free trade agreements. We have had sitting on the desk of the White House free trade agreements with South Korea, Colombia and Panama, and this administration won't move them. That will create lots of markets for farmers.

Number five: We need estate tax relief. If you want to keep the family farm in the family, then get rid of the death tax so that it can be passed on to the next generation.

Number six: You need to have a good crop insurance program. More than any other farm program, farmers want a good crop insurance program.

Number seven: We need to cut the red tape out so that you can get to your local market. If you're a local farmer, it is impossible to sell right now to your local high school because of many Federal regulations. The small farmers can't compete with the big folks on this.

I want to say this about apples because the gentlewoman had mentioned apples. The average apples travel right now 2,500 miles to get to the consumer. Now, I don't find that horrible. We are a country of origin labeling laws, which our committee has debated for over a decade, and I don't know that it has made the world a better place. I think that consumers are actually driven by food safety, food taste and food price, and whether it comes from New York or whether it comes from the farmer down the street, those still are going to be the driving factors in making the decision. Carrots come 2,000 miles.

I would challenge my friends to look at Google food mileage and look at how much common, everyday food travels to get to your plate. What has it done? It has made America healthier. It has given us an abundant food supply, and it has given us a less expensive food supply.

But if we are serious about growing mom and pop farms—and I want to say

this to my friend from Maine—I am very interested in working with her on that. The seven things that I have listed, I can promise you, in any poll, farmers will choose before they choose to say what we really need to get farmers going in America is this program that is not authorized by the Congress, called Know Your Farmer.

I yield back the balance of my time.

Mr. FARR. I move to strike the last word.

I just want to point out that this amendment doesn't save one penny.

□ 2050

The Acting CHAIR. Does the gentleman ask unanimous consent to strike the last word?

Mr. KINGSTON. Reserving my right to object, I just want to remind my friend about taking two bites of the 2,500-mile apple. I certainly do not object but——

Mr. DICKS. Mr. Chairman, I move to strike the requisite number of words.

The Acting CHAIR. The gentleman from Washington is recognized for 5 minutes.

Mr. DICKS. I yield to the ranking member, the gentleman from California.

Mr. FARR. This amendment doesn't save one penny. Ironically, we just returned from the White House summer congressional picnic, and people ate food there. At every table, it listed where the food came from. Indeed, I remember because I went to the ice cream place and there was a stack of honey that came from the White House, that has a White House label on it, and it's a gift that the First Lady gives to visiting dignitaries from around the world as a sample of American honey grown at the White House. We just experienced Know Your Farmer—Know Your Food not more than an hour ago.

This amendment does nothing but be mean.

Mr. DICKS. Reclaiming my time, I just want to point out, also at the White House picnic, if you walked far enough down, you could see the garden with fresh vegetables and everything that was being grown. It had a label about what was what.

Again, I just don't see what the harm is here if they're taking it out of existing funds. I always thought that the farmers of America were supported on a bipartisan basis in this Congress and that we like to know who our farmers are. So I agree with the gentleman, and I hope we can defeat this ill-considered amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from North Carolina (Ms. FOXX).

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

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

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

AMENDMENT NO. 20 OFFERED BY MS. WOOLSEY

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

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

SEC. ____. None of the funds made available by this Act may be used to carry out the directive in the committee report instructing the Food and Nutrition Service to issue a new proposed rule on implementing new national nutrition standards for the school breakfast and school lunch programs in the report of the Committee on Appropriations of the House of Representatives to accompany H.R. 2112 of the 112th Congress (House Report 112–101).

Mr. KINGSTON. Mr. Chairman, I reserve a point of order on the gentlewoman's amendment.

The Acting CHAIR. A point of order is reserved.

The gentlewoman from California is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Chairman, for some families—too many, as a matter of fact—the meals served at school may be the only decent meal that their children get that day. Especially during this current economic downturn, with many Americans barely getting by, more people are relying on school meals to keep their children fed and ready to learn.

Why, then, is the Republican majority trying to turn back the clock on school nutrition? Why are they trying to undermine the quality of school meals by gumming up a regulatory process that is designed to ensure that our kids are eating healthy?

Mr. Chairman, I'm offering this amendment because it will stop the majority's attempt to block the implementation of scientific standards for school meals.

Here's the backstory. Since the Truman administration, Congress and the United States Department of Agriculture have set standards for school lunches and breakfasts. But for most of that history, those standards have not reflected the expertise of nutritionists and other health professionals.

Then, last year, Congress passed and the President signed a bill directing the USDA to make school meal requirements, for the first time, consistent with sound science and dietary guidelines issued by the Institute of Medicine. The bottom line: That would mean healthier food for our kids. It would mean the cafeteria line would have more fruits and vegetables, more whole grains and low-fat milk, and less sodium and saturated fat. As instructed by the law that we passed, USDA wrote a regulation and received over 130,000 comments.

Now, just when the process is wrapping up, my colleagues on the other side of the aisle want to use report language in this appropriations bill to scrap the rule and compel USDA to write a completely new one. This is a stall tactic, plain and simple. Better school meals must not, can't be, from this act, a priority for the other side of the aisle. They apparently don't believe we need to do anything about the epidemic of childhood obesity that is rapidly becoming a major public health crisis, so they're looking for any way to put on the breaks.

The process has worked. We've had congressional direction and we've had mandates. We've had open comment period and rulemaking based on sound science. But the end result is not to the majority's liking, so they want a do-over. This is not only unnecessary, Mr. Chairman, but expensive, as there would be costs associated with starting the rulemaking over—going back to square one. In one fell swoop, the Republicans are showing themselves to be anti-science, anti-child, anti-public health, and anti-fiscal responsibility.

My amendment would stop their shortsighted and irresponsible scheme. It would prevent funds made available by this appropriations act from being used to require USDA to reissue a new rule.

Important advocates agree with me. My amendment has been endorsed by the National Education Association, the American Dietetic Association, Bread for the World, the Center for Science in the Public Interest, and many other groups, which I will include in the RECORD.

Mr. Chairman, our children need balanced, healthy, nutritious meals, not costly bureaucratic delays. They need this to help them succeed in school and in life.

H.R. 2112, AMENDMENT NO. 20, LIST OF SUPPORTERS

The American Academy of Pediatrics, American Dietetic Association, American Public Health Association, Association of State & Territorial Public Health Nutrition Directors, Bread for the World, California Association of Nutrition & Activity Programs, California Food Policy Advocates, Campaign to End Obesity Action Fund, Center for Science in the Public Interest, Community Food Security Coalition, Food Research & Action Center (FRAC), Jewish Council for Public Affairs, National Education Association, National Farm to School Network, The National WIC Association, Public Health Institute, Trust for America's Health, The United Fresh Produce Association.

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

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

There was no objection.

AMENDMENT NO. 24 OFFERED BY MR. ROYCE

Mr. ROYCE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

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

SEC. 7XX. None of the funds made available by this Act may be used to provide assistance under title II of the Food for Peace Act

(7 U.S.C. 1721 et seq.) to the Democratic People's Republic of Korea (North Korea).

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. ROYCE. Thank you, Mr. Chairman, very much.

A couple of quick points here. One, the administration is actively considering resuming food aid to North Korea. And I understand the humanitarian impulse here, but the unusual circumstances of North Korea make this a mistake—and make it a very bad mistake, frankly—which this amendment would correct.

I remember the words of one North Korean defector, Kim Duk-hong. I had a chance to talk with him. He said actually in testimony here before the committee, we must not give food aid to North Korea because it is, in his words, the same as providing funding for North Korea's nuclear program. Why is that so? Because what invariably happens is they redirect these resources into support for the regime.

This week we had reports that North Korea is making miniaturized versions of its nuclear weapons—ones that could fit atop ICBMs. That makes his statement all that more dire about the redirection of these resources into the regime's hands.

The situation in North Korea is heartbreaking. I've been up there. I've seen the depravation. But this is a disaster made by the dictatorship itself. And let me say unequivocally, the food we send does not reach the hungry.

So, who benefits from our good will? Well, the inner circle does and their military industrial complex does. We've had hearings in which the French NGO Doctors Without Borders—we're all aware of their good work around the world. They testified before the International Relations Committee that the vast majority of refugees they interview say they had never received any food aid. None of the children they had ever met had ever seen food aid during the years they worked up on the border.

And this testimony is backed up by a survey of 500 North Korean defectors in which 78.2 percent of them never saw foreign food aid. And the reason for this is because it goes, again, into the black market. It is sold for the hard currency that the regime needs for its nuclear program and other programs.

□ 2100

Some could argue that what we need is more oversight and maybe better monitoring on this food.

Let me tell you about the testimony we've heard on that, because the North Koreans, I don't think they've got a word for ''transparency.'' No matter how airtight any monitoring protocol may be, they cheat. We had a Tom Lantos Human Rights Commission hearing where a North Korean dissident told us how the regime would mark all the houses that had received bags of food and would return to collect them after the monitors had left. So North Korea is always going to cheat.

Some assert that the North is holding food, holding food for the future, hoarding a million tons of rice. That's the charge we hear from South Korea, from members of their Parliament. But the fact is that it's an asset that is converted by the North.

So I urge my colleagues to support my amendment for the sake of the North Korean people. Providing this aid not only allows Kim Jong-Il's oppressive regime to divert scarce resources towards its military program, one that has grown increasingly threatening, but it also delays the day when real structural reform will come to North Korea.

There is a Korean saying that ''pouring water into a cracked pot is worthless.'' Sending resources to Kim Jong-Il is even worse. It's enabling a regime with one of the world's worst human rights records but also with an atomic bomb.

North Korea has played us like a fiddle for years. Conditions for North Koreans have only worsened. It's time for a new North Korea policy. Let's start now.

I ask my colleagues to support the amendment.

I yield back the balance of my time.

Mr. KINGSTON. Mr. Chairman, I rise in support of the amendment.

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

Mr. KINGSTON. We have had a very difficult time with the Food for Peace program already, and if this helps secure another supporter of the bill, we certainly would work with you on this amendment and support it.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. ROYCE).

The amendment was agreed to.

AMENDMENT NO. 25 OFFERED BY MR. KIND

Mr. KIND. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

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

SEC. ____. None of the funds made available by this Act may be used to provide payments (or to pay the salaries and expenses of personnel to provide payments) to the Brazil Cotton Institute.

The Acting CHAIR. The gentleman from Wisconsin is recognized for 5 minutes.

Mr. KIND. Mr. Chairman, my amendment is very straightforward, and in a second I'm going to explain it in more detail.

For many, many years now, I and a group of bipartisan Members of this Congress have formed a coalition in an attempt to move farm bill reform forward, to try to end these large taxpayer subsidies that are going to a few, but very large, agribusinesses, subsidies that are not in fact helping family farmers, leading to greater consolidation in production of agriculture, driving up land values, making it more difficult for new beginning farmers to enter agriculture, and subsidies that are not fiscally responsible.

In light of the budget deficits that we're wrestling with, what better time to continue to move in the area of reform under the farm bill with this Agriculture appropriation bill, rather than waiting for the promise or hope that in a year or two in the reauthorization of another farm bill that this institution might finally come around and start making the long overdue changes.

Just to show you how perverted these farm programs have gotten, recently Brazil challenged our own domestic cotton subsidy program and prevailed in the WTO court. Now you would expect our rational response would be to reform our cotton subsidy program, to come into compliance with that WTO decision, to end these subsidies that you really can't justify here to our cotton producers, and we would solve this problem.

But that's not the approach that was taken. In fact, the administration recently set up a new subsidy program that is now going to subsidize Brazil cotton producers.

Let me repeat that. We are spending $147 million a year in order to bribe the Brazilian Government so that they don't enforce the sanctions that they're entitled to now because of our unwillingness to reform our own cotton subsidy program. That is wrong, and that is what my amendment would address. It would prohibit the use of funds through this Agriculture appropriation bill going to this new subsidy program to subsidize the Brazil cotton industry.

It just shows you what a pretzel our farm programs have turned this Congress into because of yet again the unwillingness for us to reform our own domestic title I subsidy programs. The answer to this is not to funnel out another $147 million a year until maybe we address this in the next farm bill, which could end up costing the American taxpayer over a half a billion dollars, when we can make that correction now, reform the domestic program, get out from under the WTO decision, start saving money by not sending $147 million a year to Brazil, and also start saving some money by reforming our own cotton domestic subsidy program.

That's the solution to this. That's something that we can fix tonight, rather than continuing this facade of maintaining these programs that many of us warned in the last farm bill would be challenged, and sure enough they did, and they're prevailing, and now they can apply economic sanctions against us.

So the time to act is now, not waiting for a year or two or whenever we're going to get around to reauthorizing

another farm bill; and the time to start saving some real money is this night, by passing the amendment that we're offering. We can save $147 million, we can reform the cotton subsidy program and save more taxpayer dollars, and we have that ability to be fiscally responsible and start making changes tonight.

I know what the argument on the other side will be: wait for the next farm bill; we'll take care of it then. Well, there is a lot that we are moving forward on this year on deficit reduction, and I for one think that the farm bill should also be open for scrutiny for potential savings to reduce our deficit.

But that's not what's being offered tonight in reforming the title I subsidy programs. Instead, most of the deep cuts are coming under the conservation title, the nutrition programs, certain key investments that we have to make to empower our farmers to be good stewards of the land, to reduce sediment and nutrient flows and the impact it has on the quality water supply that we need in this country, the protection of wildlife habitat. In fact, three out of every four farmers applying for conservation funding assistance today are turned away because of inadequacy of funds. That number will only explode because of the deep cuts coming in these other titles of the farm bill.

We have an opportunity to start making some changes under title I, the subsidy program, first by stopping the additional layer of subsidy that's been created where we're starting to subsidize other countries' farmers. Let's start making that change tonight.

I would encourage my colleagues to look closely at this amendment. This is the reasonable response that we should be taking. Let's not defer this decision any further. We can do that. And instead of encouraging any type of trade war or sanctions with Brazil, we should move forward in reforming the cotton subsidy program starting tonight.

With that, I yield back the balance of my time and ask my colleagues to support this amendment.

Mr. CONAWAY. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CONAWAY. Thank you, Mr. Chairman.

My colleague is very passionate, but he is also very wrong. This money does not go to Brazilian farmers. That's illegal for us to do that. What it does do, it does go to an institute that promotes Brazilian agricultural production. It may be a fine line to distinguish there, but it's inflammatory to say it's going to Brazilian farmers, that we're doing that, and he knows it and it is wrong, but it is a payment. It's a payment negotiated by the Obama administration in reaction to a loss at the WTO in order to buy time so that a trade war with our 10th largest trading partner in the world doesn't erupt that has actually nothing to do with ag protection.

The trade war that is being prevented, over $800 million worth of exports to Brazil, protects a broad variety of nonagricultural industries in this agreement. This buys us time until the 2012 farm bill could get done. We cannot tonight nor should we tonight delve into a very complicated farm safety net program that has worked well for the American people.

It is unquestioned that the American people enjoy the safest, most abundant and cheapest food and fiber source in the world, in the developed countries; and we do that because of the hard work, sweat equity, and risk-taking of the American ag producer. They rely in turn on a safety net that is relatively complicated and interwoven across a bunch of things that make it help.

The budget that we did pass says that the farm bill will be written in 2012. I understand my colleague's disdain for the process of the Agriculture Committee. He doesn't like the Agriculture Committee, he doesn't like the work product that we come out with, but that's the group that knows the most about the process of the safety net.

□ 2110

Doing this, what the gentleman would like to do tonight, would disrupt that trade agreement and undercut the U.S. Trade Representative and his ability to negotiate around the world because he's negotiated with a group who won't stick by their word.

The 2008 farm bill put in place a 5-year contract, 5-year agreement with the American ag producers, it goes to the 2012 farm bill—2012 crop year, and we ought to stand behind it and defeat this amendment.

So the money does not go to farmers. It does protect $800 million a year in exports of nonagricultural exports that are imported to this country, including intellectual property rights that would be abrogated if we back out of this deal that we've made with Brazil. So with that I respectfully request my colleagues to oppose the Kind amendment as being wrong-headed tonight.

I yield back the balance of my time.

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

The Acting CHAIR. The gentleman from Oregon is recognized for 5 minutes.

Mr. BLUMENAUER. I listened to my good friend from Texas talk about deferring yet again to the Ag Committee, that somehow this payment goes to the Brazilian cotton industry and not to the cotton farmers, a distinction without a difference I would suggest.

I rise in support of my colleague from Wisconsin in this proposal. I've been in this Congress having watched three farm bill reauthorizations, and each time we find that there is expression on the floor of this Chamber for actual reform. We've asked for limitations. We are told well we just don't—the floor doesn't understand; it's too complicated. Well, it is complicated and twisted because this is an effort to try, through the complexity, to layer efforts here that cheat the American consumer, that hurt the environment, and pose serious problems for international trade.

And my friend from Wisconsin is correct. We were talking about this in the last farm bill, and we got our comeuppance, but instead of responding responsibly in reducing or eliminating the illegal cotton subsidies, we're shoving upwards of a half-billion dollars to the Brazilian cotton industry, and I'll be prepared to argue, it benefits cotton farmers. So we're subsidizing two countries because we fail to reach our responsibilities now.

I sincerely think this is wrong. I think $147 million could go a long way towards helping the part of American agriculture that grows food that we categorize as specialty crops who are dramatically shortchanged.

I would like to yield the remainder of my time, if I could, to my good friend from Wisconsin, the sponsor of this amendment.

Mr. KIND. Well, I thank my good friend from Oregon for his support of the amendment and for his support throughout the years in trying to lead the effort for meaningful farm bill reform.

Mr. Chairman, there is another solution to this that's going to be offered by our good friend and colleague from Arizona in just a little bit, Mr. FLAKE. He goes to the heart of the WTO decision to find out what changes we should be making in the cotton subsidy program to get out from under the thumb of Brazil, and I would support that amendment, and I hope my colleagues support his amendment as well because that is the ultimate solution to this: Instead of just cutting off the funding to Brazil right now, coming up with the cotton subsidy reform.

Now, let's remember the context in which we find ourselves this evening. Cotton payments are almost at a world record high price right now, yet these subsidies are still going out. There's just very little relationship right now with the subsidies under title I to the grain producers and cotton producers of our country and the price they receive in the marketplace. And in a time of tough budgets, when everyone else is being asked to take a haircut, whether you're a supporter of conservation programs or vital nutrition programs for our children and seniors, for us to not even look and consider the title I programs in the context of this agriculture appropriation, it's beyond the pale. There's just no justification to it.

These programs are outdated. They are impossible to justify with the American taxpayer, especially with the deficit reduction that all of us are interested in participating in this year. This is a small, but I think significant, step down the road of reform with the farm bill finding savings that can be applied to either other programs or for deficit reduction.

That's why I commend my colleague from Arizona for the amendment he's about to offer, but my friend from Oregon, too, will have some important amendments for us to consider, a payment limitation limiting the overall amount of subsidies that go to our producers. And folks, this is going to agribusiness, many of whom have mailing addresses in Manhattan, in Chicago, in San Francisco. These aren't even family farmers working the land, and they're some of the primary recipients of these agriculture subsidies.

Mr. BLUMENAUER's amendments address that, along with Mr. FLAKE's AGI cutoff at $250,000 a year. That's 250 thousand dollars of profit, and if you're an entity making a profit of over a quarter-million dollars a year, should you really still be receiving taxpayer subsidies for the business that you're running? I think not, and we'll have another opportunity to consider that later tonight.

So I appreciate the gentleman yielding me this time and further explaining what this amendment is all about. And if we are serious about deficit reduction, if we are serious about reining in some of these programs that are tough to justify, then we should be serious about supporting this amendment tonight.

Mr. BLUMENAUER. And Mr. Chair, on that note I, too, commend what my friend from Wisconsin is doing. I look forward to the comments from my friend from Arizona. If we're serious about reform and saving money, it's time to move in this area.

I yield back the balance of my time.

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

The Acting CHAIR. The gentleman from Arizona is recognized for 5 minutes.

Mr. FLAKE. Mr. Chairman, I rise in support of the Kind amendment. I commend the gentleman from Wisconsin for offering this.

You know, we've heard here that we need this program to make us trade compliant. Many of us warned when we did the last farm bill that if we did this level of subsidies that it would run afoul of our trade agreements. Yet we plowed ahead and did it anyway. And then April of last year is when our farm programs, which on their best day are out of step with reality, moved into the realm of the absurd when we hatched a program to actually fund an institute in Brazil to fund the cotton industry there to start subsidizing the Brazilians so that we could continue to subsidize our own farmers. Is that not absurd? Why are we continuing to do this?

It was raised before that we've got to do this to make us trade compliant now where tariffs might be imposed. That is true, but I offered an amendment in the committee earlier on that would have taken money from the direct payments that we currently pay to cotton farmers and paid off the Brazilians with that money rather than raid the Treasury and raid the taxpayers once again. And guess what? That passed in committee but was stricken when it came to the floor.

So when you hear all this rhetoric about, hey, we want to be trade compliant, we could have done that. We could have simply allowed that amendment to stick in the bill, and then this would have been trade compliant. But the Brazilians would have been paid off not with new taxpayer money but with the money that is making us non-trade compliant in the first place.

So don't believe what you're hearing about, we just want to be trade compliant; that's what this is about. We offered an alternative to that, and it was rejected. And so here we are asking the taxpayers to once again this year, $147 million to the Brazilians to make us trade compliant. We've got to stop this.

Nobody really believes that we're going to do a farm bill this year. Nobody really believes we're going to do one next year. And so we're going to be doing this year after year after year, so that means that we're going to continue to do this unless we stop it. I can tell you if we pass the Kind amendment tonight, we will be back and we'll reform our cotton subsidies in a way that will make us trade compliant. We'll go back and accept the Flake amendment that passed in the Appropriations Committee that perhaps took the money from the cotton program.

We don't need to continue to ask the taxpayers to pay off the Brazilians so that we can continue out-of-step subsidies to our own farmers. That's what this amendment is about. I commend the gentleman for offering it.

And I would yield to the gentleman from Wisconsin.

Mr. KIND. I appreciate the gentleman yielding, and I appreciate his support of this amendment and the leadership that he's shown not only in committee but throughout the years when it comes to sensible farm bill reform.

The easiest way for us to come into trade compliance isn't by bribing the Brazilian government to get them to not enforce the sanctions that it can under WTO; it's fixing this domestic program, and doing it now rather than waiting years from now, as my colleague just pointed out, for the next farm bill. I know this isn't easy, and I know the committees wrestles with a lot of different constituent problems. I used to serve on the committee.

I'm not asking anyone here tonight to do anything differently than what I'm asking my producers to do in my district of Wisconsin and in my State, and that's taking a haircut. The reforms that I've been proposing through the years would require my district to take a haircut on these agriculture subsidies. It's not always easy standing up to groups that are getting something from the government and saying we can't afford it, nor can we justify it, with the market and with the deficit. But that is what it's going to take for this body to come together if we are going to be serious about deficit reduction and getting the spending under control.

□ 2120

I know that the Agriculture Committee has their hands full, and I know they would rather just defer this next decision until the next farm bill and put it off. But we don't know when that's going to be. But the thing we do know for certain is there is $147 million going out the door every year right now that we can stop doing tonight with the passage of this amendment.

Mr. FLAKE. I just want to make a point that everybody needs to take a haircut here if we are going to get this debt and deficit under control. We shouldn't ask the taxpayers once again to pay off the Brazilians so we can continue out-of-step subsidies to our own farmers.

We have a cotton industry in Arizona. They may take a hit because of this, but everybody has to take a haircut. Everybody has to contribute here to getting this deficit and this debt under control. And if we can't start with a program like this, I don't know where we'll start.

After this amendment, I plan to offer an amendment that will go after the programs that actually make us nontrade compliant. I will be glad to give up on that amendment, not offer it at all, if this amendment is allowed to pass. But if it is called for the ''noes,'' then I plan to offer the amendment after this.

With that, I yield back the balance of my time.

Mr. PETERSON. Mr. Chairman, I move to strike the requisite number of words.

The Acting CHAIR. The gentleman from Minnesota is recognized for 5 minutes.

Mr. PETERSON. Mr. Chairman, you know, this is kind of a surreal debate because I don't think we're talking about the real issue here. You know, the cotton program isn't perfect. A lot of the programs that we have in the Agriculture Committee aren't perfect. Freedom to Farm, it was passed in '96. It got us into some of these problems. I opposed. It saved a little bit of money, and then we ended up spending 10 times as much money bailing people out when it collapsed. So you have got to be careful what you are doing.

But the problem here is, we're arguing about something that no longer exists. This program that they sued us under no longer exists. We have fixed it two or three times. We tried to address this. It was never good enough for the Brazilians. But we made some changes, and we made some more changes, and then we made some more changes in the 2008 farm bill. It's still not good enough for them.

Cotton went through some very difficult times. I don't have any cotton in my district. This is not a parochial

issue for me. But if they wouldn't have had that safety net, we would have been out of the cotton business. But what was going on at the same time? We had Brazil using government money to increase cotton production in Brazil. And this is something that isn't considered in the WTO because we are such geniuses that we agreed to this agreement that tied our hands and gave our competitors the ability to eat our lunch. And that's what's going on.

You know, JBS, which just took over a big part of the livestock industry in this country, is financed by the Brazilian Government. They own 30 percent of JBS. Nobody complains about that. The Brazilian Government created most of this competition that collapsed the cotton prices worldwide.

And then we agreed to let China into the WTO, and they promised that they weren't going to go into cotton production. We shipped our textile market to China and collapsed all of our textile industry. And what happened? They increased production like crazy. India increased production like crazy. Our cotton prices went down below the cost of production because of these trade agreements that we got involved in. But the way they're structured, there's nothing we can do about it. But they're going to sue us over a little step two program that we now got rid of, trying to keep our people in business.

Now, if you want to ship the whole cotton industry to Brazil and China and India, you are on a good start to doing that. And if you keep on this road, you're going to ship the rest of agriculture to these so-called developing nations that are not developing nations. If you've been to Brazil, in agriculture, they are anything but a developing nation; but they're protected under the rules that we agreed to in this WTO deal.

So is this a perfect solution? No. But we couldn't get the Brazilians to honestly sit down and work this out because they don't want to. They're trying to use this for other reasons, for other advantages in these trade negotiations and so forth. And I don't think we can ever do anything to satisfy them.

So there's more to this than people are talking about here. This is not about saving money. This is about making sure that we can have a safety net in this country so we can maintain production of agriculture in the United States and not ship it all to other countries and not get dependent on foreign countries for our food, like we've become dependent on foreign countries for our energy. That would be the worst thing that could happen to us.

So I just hope people understand all of the different ramifications. This isn't a perfect deal; but for the time being, it's probably the best solution that we can come up with.

I yield back the balance of my time.

Mr. LUCAS. Mr. Chairman, I move to strike the requisite number of words.

The Acting CHAIR. The gentleman from Oklahoma is recognized for 5 minutes.

Mr. LUCAS. Mr. Chairman, I rise in opposition to this amendment.

I want to return for a moment, I think, to the focus of the discussion. I want to be absolutely clear. If this amendment passes, it will—it could incite a trade war. Brazil could immediately impose $800 million in retaliatory tariffs on a variety of U.S. goods.

I promise you, they won't retaliate against U.S. agricultural products. They'll go after ag chemicals and biotechnology products. And they'll go after veterinarian medicines and software and books and music and films. They'll go at everybody outside of production agriculture with their $800 billion in retaliatory tariffs.

Now, we can debate how we got here; and my colleague, the ranking member, gave a very good history of what led us to this point. But this amendment right here, right now would expose the U.S. to job-killing sanctions on goods valued at $800 million.

In 2010, the Obama administration finalized a framework agreement with Brazil that was a critical step in resolving this dispute about the U.S. Upland Cotton Program and export credits. And, yes, under the agreement, Brazil agreed to delay trade sanctions, trade retaliation until the 2012 farm bill was developed and put together. This amendment would circumvent the legislative process in what could only be described as a haphazard way that should be a relic of the past.

This amendment is an attempt to circumvent regular order, the democratic policy process, by changing policy on an appropriation bill. Now, I can assure you, I plan and we will have a full and open process when we start the farm bill debate. We'll debate the relevant issues dealt with in this amendment.

And on that note, I would serve a notice for record that next week, we plan to start the process of conducting an audit of all farm programs. This audit is just the beginning of the comprehensive and transparent process we'll use to draft the 2012 farm bill. Policy changes will be considered carefully with the input from industry stakeholders and constituents and within the larger context of improving the competitiveness and long productivity of American agriculture.

Let's not incite a trade war. Let's return to regular order. And if nothing else, my friends, remember, this bill is 13 percent lower than the previous spending bill. This Ag approps bill takes us almost back to 2006. We are giving our share in this appropriations process. And everyone in this room knows that whether it's the regular farm bill next summer or if we have some grandiose understanding on the national debt ceiling and spending, the deficit, we could well have a farm bill dramatically quicker than next summer, and we'll have a farm bill that reflects a dramatic reduction in resources compared to past farm bills.

Let the Ag Committee in regular order craft the policy, and then when we bring it to the floor—all of our friends, expert ag economists, we all may be together—you will have your shot, as you've had before. But please don't incite a trade war. Please don't ignore the regular order of appropriation authorization. Please be rational in what you do. We've got tough decisions ahead of us. Collin and I and the rest of the committee, we know that. We're going to do what we have to do. But let us do it in regular order, not in this fashion.

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

Mr. BISHOP of Georgia. I move to strike the requisite number of words.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BISHOP of Georgia. Let me just say this: Georgia is the second-largest cotton-producing State. It accounts for approximately 10 percent of the U.S. cotton production. In 2011, Georgia farmers intend to plant almost 1.5 million acres of cotton.

□ 2130

The average farm-gate value is more than $600 million. There are approximately 2,800 businesses directly involved in the production, processing, and distribution of cotton. Accounting for the broader economic effects, the Georgia cotton industry supports more than 46,000 jobs, and it generates economic activity of approximately $11 billion.

Now, the proponents of these amendments target provisions in the cotton programs that are at the center of a WTO trade case which Brazil has against the United States. The U.S. and the Brazilian Governments have scheduled a series of consultations designed to identify the modifications in policy that will resolve the case. The intention is to reach agreement on carefully thought-out provisions that can be included in the 2012 farm bill.

These hastily drafted amendments are not guaranteed to resolve the dispute, 1, since the U.S.-Brazil consultations have not resulted in any specific agreement and, 2, since these approaches will certainly undermine the future discussions as the two countries attempt to reach a final resolution that's fair and that is reasonable.

The amendments target cotton farmers in an effort to reduce government spending. The 2008 farm bill, including the cotton provisions, was fully paid for, offset, and did not add one single dime to the deficit. They cite the years in which the government's support for cotton was historically high, but they ignore the years when the support actually is at historic lows. We need to maintain the safety net so that it's there when it's needed but not utilized, as it hasn't been recently, when it's not needed.

Farmers understand the current budget pressures. They understand that very well. But they expect to be a part

of a debate involving all of the agricultural stakeholders, and not be singled out for ad hoc budget reductions with hasty policy decisions.

These proposed amendments would nullify the basic component of cotton policy. If these amendments are enacted, they would take effect October 1, and, as a result, USDA would have to change the cotton program rules in the middle of the marketing year and change them back effective October 1, 2012. This would undermine the confidence in commodity programs, especially among agricultural lenders.

This would compromise our agriculture policy, a policy that has been vetted very carefully by our authorizing committees and relied upon by our growers and our lenders in making their business decisions going into 2012. The reauthorization of the farm bill in 2012 is the proper forum to debate the cotton agriculture policy, not here on this appropriations bill.

We have got to do what is right in regular order. This is not the time. It's not the place. And what we're doing tonight, if they go forward with this, is pulling the rug out from under our cotton farmers and our agriculture when they have made financial plans through 2012. It is unfair; it's not right, and we should not do it.

I urge my colleagues to reject these amendments. They are ill-advised.

I yield back the balance of my time.

Mr. FARENTHOLD. I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. FARENTHOLD. I would like to speak in opposition to this.

The ranking member gives a great history lesson on how this comes out. The previous farm bill—passed by primarily Congress controlled by your side of the aisle—created a situation with our cotton subsidies that has caused a problem with Brazil, and we are trying to work it out.

My colleagues on this side of the aisle and many of the colleagues on the other side of the aisle are also concerned that this government as a whole, through the regulatory process, picked the regulatory agencies, making it very difficult and unpredictable for businesses by changing the regulatory environment.

Our businesses are holding back, not investing, not creating jobs. But we're about to do the same thing ourselves right here with this amendment by yanking the rug out from under our cotton farmers, who have built their businesses, made their plans based on the promise of the last farm bill.

You know, I love to save money for this government. I'm none too happy to see this money going to Brazil. But we basically lost a lawsuit and we're having to pay the damages. And we're going to fix it in the regular order without yanking the rug out from under the farmers, who are the backbone of this country, by changing the rules in the middle of the game. Give us until next year to get that farm bill out, and we will address it.

Even though it didn't rise to the point of order, this really does rise, in my opinion, to the level of legislating within an appropriations bill.

I don't like spending the money. I don't like sending it offshore. But we cannot change the rules in the middle of the game. We cannot move the goalposts for our farmers, many of whom are small, private farmers who have built their future, taken out loans, decided to buy more land, decided to buy more equipment, based all their business decisions on the promise that this government made to them in the last farm bill. And changing the rules at this point is absolutely wrong, and I encourage my friends and my colleagues to vote against this amendment.

I yield back the balance of my time.

Mr. DEFAZIO. I move to strike the last word.

The Acting CHAIR. The gentleman from Oregon is recognized for 5 minutes.

Mr. DEFAZIO. The gentleman that preceded me said we lost a lawsuit. We didn't lose a lawsuit. If he knows anything about the WTO dispute resolution process, no conflict of interest, no open litigation, no legal proceeding as we in the United States of America understand it. A closed group with no conflict-of-interest rules that makes rulings. And they have decided that we, under this failed trade policy, should pay tribute, tribute, more than we paid to the Barbary pirates—$147,300,000 a year to the Government of Brazil so we can subsidize our cotton farmers.

Now, you go home and explain that to your constituents. We'll borrow $147,300,000 from China and we'll send it to Brazil so we can subsidize our cotton farmers.

What is this all about? It is about a totally failed trade policy. And at some point, this Congress has to take a stand.

RON PAUL and I, a number of years ago, 3 years ago—we get to do it once every 5 years—offered an amendment to withdraw the United States of America from the WTO. That will come up soon. I hope you'll all support it. It is something that binds us and is destroying our industries, our farmers, and everything else that's great about this country. I voted against the WTO.

This isn't about so much as a failed farm policy or farm bill, as the gentleman outlaid. It's about totally failed trade policies.

Other countries want to protect their agricultural interests. They want to feed their own people. They don't want to import polluted food from China.

We've opened up our country to polluted foods and goods from China and Brazil and everyplace else in the world with the WTO and these trade agreements. They don't observe them. We go and we lose this dispute and say, oh, we've got no choice but to pay. We have a choice. Let's not pay. We're not going to pay the tribute. We're not going to borrow the money from China. We're not going to send it to Brazil. Let's see what they do next. And maybe we can blow up this thing called the WTO and get back to something that protects our national interests.

I yield to the gentleman from Wisconsin.

Mr. KIND. I thank the gentleman for his comments in support of this amendment. And just one final point to my colleagues who have been supportive of trade agreements in the past.

Let's be honest with ourselves. If we're going to be a part of this WTO organization to establish rules of trade across borders, then let's not turn our back on an adverse decision that affects us. Let's, instead, comply and bring the cotton subsidy program into compliance. That is the answer to this. And let's end this nonsense of stacking subsidy program on top of subsidy program to just buy off and blackmail other governments who have a WTO decision in their hands.

And I cannot believe that this evening, when we're asking for huge, unprecedented cuts in conservation programs that will affect thousands of farmers throughout the country and unprecedented cuts with nutrition programs that will affect thousands of low-income families with their children, and seniors, saying, ''Tough luck. We're operating under tough budget times. You're just going to have to do without,'' when it comes to a simple amendment like this to save $147 million a year to bribe Brazil cotton producers and an unwillingness to go into the title I subsidy programs for cost savings, then what the heck are we doing around here?

□ 2140

It is just beyond the pale that we're willing to take the deep cuts—and the chairman of the Agriculture Committee claimed a 12 percent cut in the farm bill, but he didn't say where those cuts were coming from. I'll tell you where it's not coming from. It's not coming from these subsidy programs. It's not coming from the cotton subsidy program that has gotten us into this problem. A handful of powerful cotton families are holding this institution hostage in order to maintain these subsidy programs that have benefited them for too long. Talk about benefiting the few at the expense of the many; this is the classic example of this Agriculture appropriation bill before us this evening. We can do a heck of a lot better.

Mr. DEFAZIO. I will reclaim my time to say we may have some differences over the underlying trade agreement and the mandates and the process which got us to this point, but I agree, subsidies—or bribes—on top of subsidies is insane in these tough budget times.

And I would just note that we're going to be confronted very soon with another limitation amendment on another bill where we're going to have a

choice: We're going to abandon the American trucking industry to Mexico—which is, again, exacting tribute from the U.S., $4 billion a year worth of tariffs, to try and drive our companies south of the border to use Mexican drivers.

So time and time again these trade agreements are failing us. I think it's bigger than the problem of the subsidies in the farm bill, and this Congress needs to pay attention. One way or another, we're either going to get real about our deficits and what's really essential to the American people—feeding our people, clothing our people, and putting American people to work—or we're going to abandon ourselves to this failed notion of the WTO and other trade agreements.

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

Mr. BRADY of Texas. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BRADY of Texas. Mr. Chairman, the world has changed. It's not enough to simply buy American anymore, we have to sell American. We have to sell our American agriculture products, our technology products and services all throughout the world. But oftentimes, when we compete, we find much of the world is tilted against us. Other countries cut agreements to make it tough for us to sell. That's why we are involved in the World Trade Organization, to insist that other countries play by the rules, but that means America has to play by the rules as well.

We lost this case in the WTO. So the question today isn't about cotton subsidies or even saving money; it's about the smart way to address this issue that protects American jobs.

Now I am very sympathetic to this amendment. Paying Brazil nearly $12 million a month is not the right way to resolve this issue, and I agree with that. In fact, America should simply live up to its WTO obligation and insist that others do the same as well.

The settlement that's in place today is necessary to prevent Brazil from imposing almost $1 billion of new tariffs, new taxes on American products when we try to sell them into Brazil. And it's not just agriculture products. As you heard Chairman FRANK LUCAS talk, he made the point that not only can Brazil penalize our ag products, they can tax and tariff a broad range of products, especially America's innovation economy. So in your State, if you have companies that produce pharmaceuticals, medical devices, business software, technology, anything in the innovation sector of America, your companies and your workers face the loss of jobs and the loss of product sales because of this issue.

So the smart way to handle this is to deal with this not only in the farm bill, but at the WTO today, insisting that as we end these cotton subsidies, other countries end their agricultural subsidies as well. That is the smart way to resolve this issue that doesn't hurt America and jobs, in fact protects our American intellectual property rights in Brazil and other countries.

This is an issue of doing it the smart way. I oppose this amendment. I urge our colleagues to continue to work together to resolve this issue in a smart way for our economy and a smart way for our jobs.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Wisconsin (Mr. KIND).

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

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

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

Mrs. SCHMIDT. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentlewoman from Ohio is recognized for 5 minutes.

Mrs. SCHMIDT. Mr. Chairman, a few moments ago my friend from California had an amendment that she did withdraw that really wanted to codify into law the USDA's rules regarding the school lunch program. And while I won't go into the lengthy reasons why it's the wrong way to go for nutrition—not just the cost that it bears to the schools, but also the fact that USDA was recommending reducing the consumption of potatoes, corn, peas and lima beans to just one serving a week—which believe me I was shocked. But it wasn't just myself that had this reaction; it was also the California Fruit Growers Association, it was the National School Boards Association, it was the Council of the Great City Schools that wrote a letter. And that's why I and 40 other colleagues wrote to Mr. Vilsack of the U.S. Department of Agriculture in reaction to the promulgation of these rules.

I will enter into the RECORD the testimony I was going to give until she withdrew the amendment, as well as these four letters.

Mr. Chair, I rise in opposition to this amendment. Breakfasts and lunches served in schools are important components of the diets of school age children. Improving the nutritional profile of meals served to school children is very important.

When the USDA proposed a rule that eliminated potatoes from the School Breakfast program and limited the School Lunch program to one cup a week of potatoes, I was very concerned.

On the Agriculture Committee, I have made it frequently known how important healthy living and nutritious eating habits are to me as a person, a mother, a grandmother and as a legislator. It is especially near and dear to my heart when we discuss policies that affect children's nutritional needs.

When I heard that the USDA recommended reducing the consumption of potatoes, corn, peas, and lima beans—I was shocked.

When my daughter was growing up, I took great care to ensure that she ate healthy, balanced meals. Of course, potatoes were a part of that equation. You all know that they are full of potassium, vitamins C and B6, potassium, fiber, and antioxidants. I cannot understand why the USDA would want to reduce school children's consumption of potatoes.

I think that it is short sighted for the USDA to ignore the health benefits that the potato provides. When looking at how to incentivize healthier eating habits, we in Congress need to find a way to encourage and educate program recipients to eat balanced meals.

I think it is very important to make sure that children receive balanced meals, and that certainly includes potatoes.

I, along with forty-one of my colleagues sent a letter to the USDA asking a number of questions about this proposed rule. Mr. Speaker, without objections, I would like to submit a copy of this letter to the RECORD.

Mr. Chair, potatoes, lima beans, peas, and corn are all healthy vegetables that should certainly be in the School Breakfast and Lunch Programs.

Potatoes are an excellent source of potassium and good source of fiber. According to the USDA's own magazine, Amber Waves, potatoes deliver these nutrients at a very low cost.

FNS has estimated that the proposed rule would increase the cost of school meals by $6.8 billion over the next five years. Per meal, the cost will increase by 14 cents per lunch and fifty cents per breakfast.

Mr. Chair, school districts and states across the country are already cash-strapped and cannot afford this increased cost.

This additional burden will be passed onto students paying full price for their meals.

While I agree with the intent of the USDA to encourage the consumption of more fruits and vegetables, whole grains, and lean proteins—restricting the consumption of nutritious vegetables like potatoes, lima beans, peas, and corn is short-sighted and not the most effective approach to achieve that goal.

I encourage my colleagues to vote no on this amendment and instruct the USDA to issue a new proposed rule on implementing the new national nutrition standards for the School Breakfast and School Lunch Programs.

CALIFORNIA LEAGUE OF
FOOD PROCESSORS,
Sacramento, CA, June 15, 2011.

Hon. LYNN WOOLSEY,
Rayburn House Office Building, House of Representatives, Washington, DC.

DEAR REPRESENTATIVE WOOLSEY: The California League of Food Processors (CLFP) respectfully opposes your amendment to the FY 2012 Agriculture Appropriations bill, H.R. 2112, prevent the Agriculture Department from reissuing more reasonable and cost effective proposed regulations on the school breakfast and lunch program.

CLFP has concerns about USDA recommending school breakfast programs eliminate ''starchy vegetables'' and proposing restrictions on the use of tomato paste and cheese. As I'm sure you remember CLFP members account for 95% of the fruits and vegetables canned, frozen and dehydrated/dried in California and this repersents more than 35% of U.S. production. For a number of preserved food products, California produces 100% of U.S. output, for example tomato paste. These new USDA restrictions could potentially mean the loss of millions of dollars in sales of vegetables, fruit and cheese to the national school program. Its negative effects would ripple throughout the industry,

from farmers, dairymen, package manufacturers, etc. The cost impact of this rule on our schools and food producers should be considered by USDA. Affirmative changes to the meal plan relative to starchy vegetables limits and tomato serving calculations would go a long way to fixing the cost issues that are concerning to schools.

CLFP supports your efforts to help ensure school kids have access to healthy and nutritious meals. However, we urge you to allow USDA to ensure the new rule on school meals is cost neutral and resist efforts by USDA to proclaim vegetables and other healthy foods ''good'' or ''bad''.

Very Truly Yours,

ED YATES,
President and CEO,

NATIONAL SCHOOL BOARDS ASSOCIATION,
Alexandria, VA, June 14, 2011.

Re: H.R. 2112—FY 2012 Agriculture Appropriations Bill.

MEMBER,
House of Representatives, Washington, DC.

DEAR REPRESENTATIVE: The National School Boards Association (NSBA), representing over 90,000 local school board members across the Nation, is deeply committed to fostering a healthy and positive learning environment for children to achieve their full potential. However, NSBA is gravely concerned about the financial impact of the recent child nutrition reauthorization (P.L. 111–296) on school districts at a time when many are in dire economic straits. Therefore, NSBA supports report language accompanying the FY 2012 Agriculture Appropriations bill that directs the U.S. Department of Agriculture (USDA) to propose new rules that do not create unfunded mandates for school districts.

For example, the USDA estimates a cost increase of 14 cents per school lunch under new proposed standards for school meal programs, even though the available reimbursement increase is just 6 cents. A district serving free and reduced price lunches to 5,000 students faces a potential shortfall of $72,000 annually under this scenario. The Department recommends a number of cost-shifting measures to address the shortfall (such as increased student payments, increased state and local funding, and operational changes), that are unrealistic and unconscionable given the current economic realities for many states and communities.

School districts have already closed buildings, terminated programs and laid off teachers due to eroding local, state, and federal resources. Every dollar in unfunded mandates in the child nutrition reauthorization must come from somewhere else in the educational system and result in more layoffs, larger class sizes, narrowing of the curriculum, elimination of after-school programs, and cuts to other program areas, including school food services.

The new meal standards are just one of many provisions of P.L. 111–296 being implemented over the next two-to-three years and will impose additional costs on school districts. The reauthorization is a hollow promise to our children when it comes at the expense of the education that will help them to succeed.

Therefore, NSBA supports report language accompanying the FY 2012 Agriculture Appropriations bill that directs USDA to propose new rules that do not create unfunded mandates for school districts. Questions regarding our concerns may be directed to Lucy Gettman, director of federal programs at 703–838–6763; or by e-mail at lgettman@nsba.org.

Sincerely,

MICHAEL A. RESNICK,
Associate Director.

COUNCIL OF THE GREAT CITY SCHOOLS,
Washington, DC, June 14, 2011.

HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR REPRESENTATIVE: The Council of the Great City Schools, the coalition of the nation's largest central city school districts, writes to call your attention to the proposed federal School Meals regulations that will cost an additional $6.8 billion, and the possible amendment to the FY 2012 Agriculture Appropriations bill, H.R. 2112, by Representative Woolsey that would prevent the Agriculture Department from reissuing more reasonable and cost effective proposed regulations pursuant to the Committee report. The Great City Schools strongly opposes the Woolsey amendment.

Many of the nation's largest urban school districts have been among the leaders in improving the nutritional content of school meals and snacks provided to our students. Yet, our school districts are extremely concerned that USDA is proposing new federal school meals requirements costing an additional $6.8 billion, with over $5 billion in unreimbursed costs shifting on to school district budgets. The newly proposed school breakfast program requirements alone would cost $4 billion, with the federal government providing not one-cent of additional federal reimbursement for these additional meal costs. The Council is skeptical that our formal regulatory comments recommending over $4.5 billion in cost-saving changes to the rule will be accepted by USDA.

Before the Education and Workforce Committee, the San Diego Unified School District explained that they were already meeting all of the proposed new school meal nutritional standards, with the exception of the future sodium requirement, but that the school district would have to scrap its Nutrient-based School Meals program (as would 30% of the nation's school districts) and institute the new meal system required under the proposed USDA regulations, at the additional cost of over $4 million annually to the district. School nutritionists and food service directors point out in regulatory comments that many of the newly proposed school meals requirements are unnecessary, excessive, costly, or counterproductive in the case of the regulatory prohibition on well-tested nutrient-based school meal systems.

Congress unfortunately shortcut the legislative process in passing the Senate's version of the Child Nutrition reauthorization bill in the lame duck session of the 111th Congress. The House child nutrition bill was not considered by the full House, and in fact there was no floor debate on the Senate child nutrition bill, which was adopted by unanimous consent prior to the August 2010 congressional recess. Without a full legislative process, the extent of the unreimbursed costs reflected in the USDA regulations, already under development for multiple years, was not fully examined. The drumbeat of celebrities and food advocacy groups promoting healthier lifestyles, and anti-obesity programs drowned out the practical considerations of cost-effectiveness and local budgetary realities faced by each of your school districts in this economic downturn.

A NO vote on the Woolsey amendment provides an opportunity to underscore the Appropriations Committee report that the Agriculture Department should withdraw its overreaching new federal school meals rules, and reissue a more realistic and workable proposed regulation.

Sincerely,

MICHAEL CASSERLY,
Executive Director.

CONGRESS OF THE UNITED STATES,
Washington, DC, May 5, 2011.

Hon. TOM VILSACK,
Secretary, U.S. Department of Agriculture, Whitten Building, Independence Avenue, SW, Washington, DC.

DEAR SECRETARY VILSACK: Breakfasts and lunches served in the school setting are important components of the diets of school age children. Improving the nutritional profile of meals served in schools and maintaining participation rates are important priorities. We share your commitment to continually improving the contribution of the school meal to the nutritional needs of school children and to encourage healthy lifestyles for children that are built on a foundation of sound nutrition and physical activity.

USDA recently published a proposed rule on school meal plans to reflect the Dietary Guidelines. That proposal was based in great part on a study by the Institute of Medicine (IOM) commissioned by USDA. The recently released 2010 Dietary Guidelines identified potassium, fiber, vitamin D and calcium as nutrients of concern for all Americans, including school age children. Changes to the school meal plans should take steps toward increasing the consumption of these key nutrients by increasing student access to fruits and vegetables that are either ''excellent'' or ''good'' sources.

Changes to the school meal plans must consider the constraints faced by school lunch providers. School lunch providers need to offer nutritious affordable options that children will eat and that will encourage continued high rates of participation in both breakfast and lunch programs. For many children, the school meals are their prime source of nutrition for the day. Changes that discourage participation will reduce the overall health and wellness of American children.

As we continue to follow the development of the next generation of school meal plans, we would appreciate your thoughts on the following questions:

In the proposed rule, USDA indicates that implementation of the proposal will result in $6.8 billion in increased costs over five years and that small entities will incur 80 per cent of that increase. Do you have estimates on the impact of these cost increases on participation among reimbursed, partially reimbursed and paying participants?

Potatoes are rates as an ''excellent'' source of potassium and a ''good'' source of fiber. According to a recent article in the March 2011, USDA magazine, Amber Waves, potatoes deliver these nutrients at a very low cost. What is the rationale for eliminating potatoes from the breakfast meal and limiting them to one cup a week when they provide cost effective access to two key nutrients of concern identified by the IOM?

By limiting access to potatoes and other starchy vegetables, the proposed meal plans seem to advance the notion that this will increase the consumption of the orange, green and other types of vegetables otherwise offered. Is there science to support the theory that consumption of orange, green and other types of vegetables will increase is offered more often? What science exists that measures this type of vegetable menu change on nutrient delivery?

The starchy vegetable category includes vegetables with a variety of nutritional characteristics. What are the key characteristics that USDA identified which link the vegetables placed in this category, and how are they distinct from other vegetables excluded from the starchy vegetable category?

According the nutrition experts, bananas and potatoes are very similar in their nutritional makeup. This goes beyond both being

rich in potassium. It includes similarities in carbohydrates, dietary fiber and other nutrients. Should both bananas and potatoes have serving limits in the proposed meal plans?

The meal plan acknowledges a preference for orange and dark green vegetables? Is there sufficient science to support such a preference for orange and dark green vegetables? Would Irish potatoes with yellow, purple or other flesh color be considered starchy vegetables?

According to the proposed rule, lima beans in the fresh, canned or frozen form are considered starchy vegetables. In dried form they are legumes. Are there nutritional changes between the forms that support such a distinction?

The proposed meal plans are based on consumption data available from 2002 that was reviewed by the IOM for their report. Did USDA evaluate the applicability of that consumption data on potatoes and other starchy vegetables, given changes in preparation methods for products currently offered in school?

Are the serving limits on starchy vegetables, and potatoes in particular, based primarily on the nutritional profile of the product or on the preparation methods for the product?

Thank you in advance for your feedback to our questions. We look forward to working with you toward our common goal of improving the well-being of our nation's school children.

Sincerely,

Jean Schmidt, Joe Baca, Rick Berg, Ken Calvert, K. Michael Conaway, Eric A. ''Rick'' Crawford, Renee L. Ellmers, Wally Herger, Bill Huizenga, Raúl R. Labrador, Dan Burton, Dennis A. Cardoza, Jim Costa, Sean P. Duffy, Stephen Lee Fincher, Jaime Herrera Beutler, Steve King, Doug Lamborn, Tom Latham, Tom McClintock, Michael H. Michaud.

Devin Nunes, Collin C. Peterson, Chellie Pingree, Gregorio Kilili Camacho Sablan, Michael K. Simpson, Robert E. Latta, Cathy McMorris Rodgers, Candice S. Miller, William L. Owens, Thomas E. Petri, Reid J. Ribble, Kurt Schrader, Adrian Smith, Marlin A. Stutzman, Scott R. Tipton, Greg Walden, Steve Womack, Lee Terry, Fred Upton, Timothy J. Walz, Todd C. Young.

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

AMENDMENT OFFERED BY MR. DINGELL

Mr. DINGELL. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. ____. The amounts otherwise provided by this Act for ''Departmental Administration'', ''Agriculture Buildings and Facilities and Rental Payments'', administrative expenses under the third paragraph under ''Agricultural Credit Insurance Fund Program Account'', administrative expenses under the fourth paragraph under ''Rural Housing Insurance Fund Program Account'', and ''Foreign Agricultural Service—salaries and expenses'' are hereby reduced by, and the amount otherwise provided by this Act for ''Food and Drug Administration—salaries and expenses'' is hereby increased by, $5,000,000, $20,000,000, $10,000,000, $4,000,000, $10,000,000, and $49,000,000, respectively.

Mr. DINGELL (during the reading). Mr. Chairman, I ask unanimous consent that the reading of the amendment be dispensed with.

The Acting CHAIR. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The Acting CHAIR. The gentleman from Michigan is recognized for 5 minutes.

(Mr. DINGELL asked and was given permission to revise and extend his remarks.)

Mr. DINGELL. Mr. Chairman, this is a good amendment.

At a time when 30 people have been grossly sickened and died in Germany and 3,000 have been sickened, we are cutting Food and Drug's enforcement budget. The legislation would cut the food safety budget of FDA by $87 million below fiscal year 11, and $205 million below the President's fiscal year 12 request.

We are witnessing now one of the deadliest E. coli outbreaks ever overseas in Europe, and that infection is spreading across the society of the world. My amendment has the support of the Consumers Union, Pew Charitable Trusts, the Center for Science in the Public Interest, U.S. PIRG, and the National Women's Health Network.

It is time for us to understand that every year in the United States, 3,000 Americans are killed with bad food, 128,000 are hospitalized, 48 million are made sick. We have imported food that is causing all manner of difficulty: Bad peanuts with salmonella, bad mushrooms, E. coli in peppers, melamine in dairy products, salmonella in eggs, bad shellfish and fish from China.

The amendment sees to it that Food and Drug has the resources it needs to do the job to protect the American people from bad food being imported into the United States. We are able to inspect less than 1 percent of the food coming into the United States. This is a positive risk to the American consuming public.

The situation here is indefensible. The House last year passed major improvements in our food safety laws. And we saw to it—we had a funding mechanism which was removed by the Senate. But without the adequate funding that this amendment would afford to our people, we will find that they are at risk of serious health dangers from bad food and from sickness that comes with those things. We are here, by this amendment, giving Food and Drug the resources that it needs, some $49 million, to see to it that these imported foods and other foods are safe.

□ 2150

This is extremely important. And while you might say, well, I don't know whether it is going to affect me, somebody in this country is going to get sick because bad food came in and because it kills people when that happens.

I urge my colleagues to support the amendment until we can get ourselves in a situation where we have proper and adequate funding for Food and Drug to see to it that our people are safe from imports which are causing sickness, illness and death to the American people.

The legislation, unfortunately, does cut the food safety budget, and it cuts it in ways which are threatening a piece of legislation which has strengthened Food and Drug with the support of not just farmers and consumers, but also of the food processing industry, which rallied around and supported the legislation along with consumer groups and all of the other sources in industry, recognizing we desperately need something to be done to ensure that our people do not get sick and die from bad imported foods.

I urge my colleagues to support the amendment. I urge them to do so with vigor until such time as we can get a fee system in place which will adequately support Food and Drug and see to it that our people can sleep easily after they have a full meal knowing that the food they have consumed is safe.

I yield back the balance of my time.

Mrs. LUMMIS. Mr. Chairman, I rise with great temerity in opposition to the amendment by the great gentleman from Michigan.

The Acting CHAIR. The gentlewoman from Wyoming is recognized for 5 minutes.

Mrs. LUMMIS. Mr. Chairman, I would note that over the last 2 days we have heard how ag credit and rural housing have had deep cuts in this bill, and yet now we have an amendment that would cut more from them and would impart those funds on a program that between fiscal year 2004 and the current fiscal year has experienced a net budget authority increase of $2 billion, a 121 percent increase, and over the same time period, direct appropriations increases of over $1 billion, or 75 percent. Implementation of the Food Safety Modernization Act of 2010 would require an additional $1.4 billion in new budget authority. If the President's budget request were adopted, the result would be a 156 percent increase for FDA since 2004.

This level of spending is unsustainable. While the recommended funding level for FDA in this bill is an 11.5 percent decrease below the amount provided in the fiscal year 2011 continuing resolution, the subcommittee's overall allocation was reduced by 13.4 percent. Hence, this program suffered a smaller reduction than other programs within the budget.

Once again, with these massive increases in budget authority and in actual spending through direct appropriations over the time period 2004 and the current fiscal year, Mr. Chairman, and given the fact that ag credit and rural housing have already taken the types of deep cuts that are referenced in the rest of the bill, I urge my colleagues to defeat the amendment.

I yield back the balance of my time.

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

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. PALLONE. I rise in support of the Dingell amendment to partially restore the Food and Drug Administration funding to the fiscal year 2012 agriculture appropriations bill.

I listened to what my colleagues said on the other side of the aisle. The fact of the matter is that today's bill slashes the FDA by $572 million, or 21 percent, below the President's request, and by $285 million, or 12 percent, below this year.

I beg to differ with the gentlewoman. This is not the time to be cutting the FDA's budget. We have had many scares. We have had many outbreaks. We have had people die. We have had people become seriously ill. That is why in the last Congress we passed the landmark Food Safety Act, because we wanted to have increased inspection of food manufacturing plants, increased scrutiny of imported foods, and development of the capability to more quickly respond to food-borne illnesses and minimize their impact.

I don't know about you, but when I go home, I hear a great deal of concern about the quality and the safety of our food supply and our groceries. When people buy food in the supermarket, when they go and buy it at a roadside stand, they are very concerned about the quality of the food and whether they are going to get sick. That is why we passed the landmark Food Safety Act. It is clear that we have just recently had the E. Coli breakout. The Nation's food supply is so extremely vulnerable, and the FDA must be equipped to keep it safe.

The FDA has important responsibilities to protect and promote the health of the American people. To succeed in that mission, FDA must ensure the safety of not just food, but drugs and medical devices that Americans rely on every day. They don't just need to oversee the safety of the products. They also need to be involved in facilitating scientific innovation that makes these products safe, effective, and more affordable.

Now, these efforts are especially critical today because I believe that American competitiveness depends on our ability to innovate. To do that, we must properly fund key agencies like the FDA that are essential to assisting in the development of new drugs and devices. FDA places a high importance on promoting innovation. In fact, they are currently developing a new Innovation Pathway, an initiative to help promising technologies get to market. But let me share something with my colleagues. One of the FDA's senior leadership staff testified before the Energy and Commerce Health Subcommittee recently and assured us that these cuts would prevent such efforts from moving forward.

What I am trying to emphasize is that whether you look at it from the point of view of the food supply, whether you look at it from the point of view of innovation, to make cuts in the FDA budget simply makes no sense.

It is crucial to job creation. It is crucial to people feeling safe about what they eat, and the government has to be responsible for facilitating an environment where Americans can continue to innovate. It is a key to creating new thriving industries that will produce millions of good jobs here at home and a better future for the next generation. If government abandons its role, we run the real risk of squandering too many opportunities that lead to innovative discoveries and great economic benefits.

Mr. Chairman, the bottom line is the funding level put forth in today's appropriations bill is inadequate. FDA is already an underfunded agency. If we don't continue to give the FDA the resources it needs to complete its mission, they cannot support initiatives that save lives and create jobs; and these are priorities that Congress should embrace.

I listened to what my colleagues say on the other side of the aisle. I understand we have to be concerned about funding and budgets and that we have a deficit. We also have to figure out what is important as a priority. The American people have told us that food safety is a priority. That is why we passed this landmark bill last year.

There has to be a significant increase in funds, even in this environment, if we are going to keep the food supply safe. If we don't do that, a lot of economic activity is also going to suffer, including innovation, including what we can do for the future to keep this country competitive. So I understand what she is saying, but I also think that it is very important to restore these funds.

I want to commend my colleague, Mr. DINGELL, for putting forth this amendment, and I would ask my colleagues to support the amendment.

I yield back the balance of my time.

Mr. KINGSTON. Mr. Chairman, I move to strike the requisite number of words.

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

Mr. KINGSTON. I stand in opposition to the amendment, but with great admiration for the author of the amendment—but still disagreement.

Now, the previous speaker actually said that FDA funding has been slashed. FDA is funded both with direct appropriations and with fees. Last year, their funding level was $3.6 billion. This year, it is $3.64 billion. It is a little bit more. I would say it is level funding. But FDA funding has not been slashed, and it is very important for us to realize that.

Number two, let me show you something about the FDA funding history, Mr. Chairman. If you can see this, this chart actually goes back to 2000 and goes up to 2011. It has been nothing but a 10-year climb uphill for the FDA. And while a lot of people are saying the FDA funding is slashed, there is not even a slight dip in any of this 10-year funding chart. It is very important for us to realize that.

□ 2200

Now, the second point is, in the FDA hearing, I was concerned about FDA's ability to do food safety and to take on this big mission. Here is why:

You hear the figure of about 48 million foodborne illnesses—a very high number which we are enormously concerned about—but 20 percent of those illnesses are from known, or specified, pathogens. Nearly 60 percent of the illnesses from known pathogens comes from the Norovirus. So how do we address this?

The CDC tells us on their March 4 memo that appropriate hand hygiene is likely the most important method to prevent the Norovirus infection and to control transmission. Reducing any Norovirus present on hands is best accomplished by thorough handwashing. Now, in the FDA's 630-page budget request, there is not one mention of Norovirus. I believe that that's relevant.

The second point: The second highest cause of illness is salmonella; but under its authority, the existing authority, before the Food Safety Modernization Act was passed by the House, the FDA updated its own food safety as respect to salmonella. They are saying—and this was according to their own press release in July of last year—that as many as 79,000 illnesses and 30 deaths due to the consumption of eggs contaminated with salmonella may be avoided. That was last year. That was before a new bureaucracy. This bureaucracy, by the way, over a 10-year period of time, will cost $1.4 billion and will hire 17,000 new Federal employees.

The third highest cause of foodborne illnesses is clostridium. Again, in the FDA's 630-page budget request, it was only mentioned once.

I want to say something else that is very important. Do we believe that McDonald's and Kentucky Fried Chicken and Safeway and Kraft Foods—and any brand name that you can think of—aren't concerned about food safety? The food supply in America is very safe as the private sector self-polices because they have the highest motivation. They don't want to be sued. They don't want to go broke. They want their customers to be healthy and happy and to come back and give them repeat business.

Now, in response to the 2006 E. coli outbreak that happened in California with spinach, where three people died and 200 consumers were sickened, the California Leafy Green Products Handler Marketing Agreement was made. This is a private sector agreement which has done already 2,000 farm audits on a voluntary basis. Nearly 200 billion servings of lettuce and spinach and other leafy greens produced under this program have been surveyed. It is a successful private sector initiative, and those types of things happen all

the time in the private sector, but we're blind to it.

Here are some numbers from the CDC. It's very important because I think America loves to beat itself up over things all the time. The CDC numbers, Mr. Chairman: There are 48 million foodborne illnesses reported a year, 128,000 hospitalizations, 3,000 deaths. Those numbers are very high. I'm very concerned about it. That's why we spend a lot of money already on food safety.

I yield back the balance of my time.

Mr. CONAWAY. I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CONAWAY. Mr. Chairman, I yield to my colleague from Georgia (Mr. KINGSTON).

Mr. KINGSTON. I thank the gentleman for yielding.

I just want to continue with this, Mr. Chairman.

You have 311 million Americans eating three meals a day. That's 933 million meals eaten each day. That's nearly 1 billion food consumption events in our country, which is over 360 billion meals consumed. If you do the math in going back to the 48 million foodborne illnesses, according to the USDA, our food safety rate is 99.99 percent.

I want to address the 48 million, but what I also suggest to you is that we can spend $45 million more for FDA funding; we can spend $100 million more or we can spend $1 billion more, but I don't think you can increase this number of a 99.99 percent food safety rate according to the CDC. So, in these times of very tight budgets, it is very important to keep these facts in mind.

I am going to close with this statement by the Democrat Secretary of Agriculture, Tom Vilsack, and this was as of yesterday. He said he is ''reasonably confident'' that U.S. consumers won't be faced with the same sort of E. coli outbreak now plaguing Germany. He goes on and explains why—because of the current food safety laws in place and the current food safety funding.

Mr. CONAWAY. I yield back the balance of my time.

Mr. FARR. I move to strike the last word.

The Acting CHAIR (Mr. DOLD). The gentleman from California is recognized for 5 minutes.

Mr. FARR. I yield to the chairman, the gentleman from Michigan (Mr. DINGELL).

Mr. DINGELL. I thank my good friend for yielding to me.

I want to thank my colleagues on both sides of the Appropriations Committee and their extraordinary staffs for their courtesy to me as we have gone on through this legislation and through the discussion of this amendment.

I've listened to my Republican colleagues tell us how great we're doing. My good friend, for whom I have enormous fondness, presents us with a bunch of pictures of food. It looks great. Maybe it's safe and maybe it's not. He has got a bunch of numbers that say that it's 99.99 percent safe. That sounds wonderful.

But what are the real facts? All right.

The real facts are that, at the time that this cut is going into place on Food and Drug's budget, 3,300 people have been sickened in Germany with a particularly dangerous form of E. coli, and 30 people are dead. It is spreading across the German borders into other countries.

Now, how are we doing over here?

First of all, Food and Drug has been starved of resources for years and has not been able to provide the necessary protection to the American people from imported food, which is coming in and is, frankly, sickening people.

What is the situation? Salmonella and peanuts, bad mushrooms from China, E. coli in peppers coming in from Mexico, melamine in dairy products. It kills kids. It kills babies. It causes all manner of health risks and dangers.

There are bad pharmaceuticals coming in. We haven't been able to get ahold of that problem yet, but I'm going to try and get a bill that will address that; and I'm going to try and see to it that we get a fee system that will enable us to not have to quarrel about these moneys on the House floor.

But in this country, let's look. If this is going so well and if the Secretary of Agriculture is so right and if my dear friend from Georgia is correct, then there is really nothing to worry about; and I would like somebody around here to tell me what I'm then going to tell the 3,000 people who are killed in this country by bad food every single year. 128,000 of them are sick enough that they have to go to hospitals. On top of that, 48 million people get sick.

There is no way on God's green Earth, with the budget that Food and Drug has, that they can properly and adequately protect American food and protect the American people from the dangers of bad imported food. China is the Wild West. The stuff that they're exporting to the United States, quite frankly, I'm not sure I'd feed my hogs.

Having said these things, it is time for us to stand up to the problem and to say, Okay. We're going to spend the money that's necessary to keep people safe. We are talking about $49 million here. A lot of money. But how much do you think it takes to bury 3,000 Americans? How much does it cost to take care of 128,000 people who are hospitalized every year because of this? or to take care of the 48 million people who get sick? and the mothers who lose babies because of bad milk and things of that kind that come in from China, where they put melamine in them to up the fictitious levels of nitrogen and protein?

So I beg you, let us do what is necessary to see to it that Food and Drug has the funds that they need to do the job to protect the American people.

Mr. DINGELL. Mr. Chair, I have an amendment at the desk. This legislation before us would cut the food safety budget of the U.S. Food and Drug Administration (FDA) by $87 million below FY 2011 and $205 million below the president's FY 2012 budget request. At a time when we are witnessing one of the deadliest E. coli outbreaks ever overseas in Europe, the House stands ready to cut funding for our food safety systems. This is indefensible and why I am offering an amendment that will which takes $49 million from several administrative accounts at the U.S. Department of Agriculture (USDA) and transfers them to FDA for the implementation of the Food Safety Modernization Act (FSMA), of which I am the author. Specifically, this amendment cuts $5 million from the Departmental Administration account, $20 million from the Agriculture Buildings and Facilities and Rental Payments account, $10 million from administrative expenses under the Agricultural Credit Insurance Fund, $4 million from administrative expenses under the Rural Housing Insurance Fund, and $10 million from the Foreign Agricultural Service.

I want to make clear that the offsets I am offering are difficult, and not accounts which I would cut in normal circumstances. However, these are not normal circumstances, and the draconian cuts already made by this legislation to the food safety budget leave me with no other choice. The cuts to the USDA General Administration Account and to the Buildings and Administration Account are certainly damaging. I believe in the good work USDA is doing to promote agriculture in this nation, but these specific accounts did not receive as large a cut as others. The safety of our nation's food supply must take priority over these administrative accounts.

Furthermore, the cut to the Agricultural Credit Insurance Fund, which provides loans to farmers when they can not obtain them in the private sector, will be taken from an administrative account which will not affect the loan levels to farmers in need. The cut to the Rural Housing Insurance Fund, which guarantees some rural housing loans, will also be taken from an administrative account which will not impact the loan level. Finally, while I am supportive of the Foreign Agricultural Service and their work to promote agricultural exports overseas and their international development efforts, I believe the American people would agree that at a time when we recently had a recent scare with Salmonella in eggs and authorities have agreed that the E. coli outbreak which is impacting Europe could happen here, our priority must be on the safety of our own food supply.

I want to make it very clear that the money given to FDA by my amendment is intended for their food safety activities. Last Congress when this institution overwhelmingly passed the Food Safety Enhancement Act, it had bipartisan support, the support of consumer groups, food safety groups and industry, and a guaranteed source of funding for food safety activities. The food safety reform law gives FDA the tools it needs to prevent and detect food-borne illnesses—like the E. coli outbreak in Germany—from occurring.

Under this new law, the FDA has the authority to recall food products, to require food facilities to have safety plans to identify and mitigate risks, and to increase the frequency of FDA inspections of facilities here and

abroad. Unfortunately, a dedicated fee to fund the changes to our food system was dropped by my friends in the Senate and now we are witnessing a perfect storm—because of the political whims of my colleagues we are limiting the funding available for food safety activities at the same time the FDA has the responsibility to begin implementation of the historic food safety law.

Year after year we witness devastating outbreaks that sicken or kill innocent people. We have seen E. coli in peppers, Salmonella in peanuts, melamine in milk—the list goes on. A fee system is not a radical concept. The drug industry pays a user fee dedicated to assisting the FDA with the review of new drug applications and the medical device industry pays a user fee dedicated to the review of marketing applications. Such a fee guarantees that the FDA has a source of funding dedicated to their review process free from political posturing.

We can all agree that we must reduce our budget deficit and that all options to cut spending must be on the table. However, at a time when we are witnessing the latest E. coli outbreak in Europe sicken nearly 3,200 people and kill 33, it is unconscionable that we would cut funding from the agency whose responsibility it is to prevent such food-borne illnesses here in the United States.

I urge my colleagues to vote in favor of my amendment restoring funding to the FDA for their food safety activities.

Mr. FARR. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. DINGELL).

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

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

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

□ 2210

AMENDMENT NO. 13 OFFERED BY MR. CHAFFETZ

Mr. CHAFFETZ. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

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

SEC. ____. None of the funds made available by this Act may be used to pay the salaries and expenses of personnel who provide nonrecourse marketing assistance loans for mohair under section 1201 of the Food, Conservation, and Energy Act of 2008. (7 U.S.C. 8731).

The Acting CHAIR. The gentleman from Utah is recognized for 5 minutes.

Mr. CHAFFETZ. Mr. Chairman, this is a simple amendment to limit the subsidies for mohair.

Mohair is something that back in World War II we needed for our military uniforms. The problem is we haven't used mohair in our military uniforms since the Korean war, and yet the subsidies still continue. So this is a commonsense amendment to simply limit this. This is roughly $1 million a year. This is something that Congresses previously had eliminated. It crept back in.

And this limitation amendment that I would offer, I would urge my colleagues to vote for. My understanding is there's no opposition on either side of the aisle.

I yield back the balance of my time.

Mr. KINGSTON. Mr. Chairman, I support the amendment.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Utah (Mr. CHAFFETZ).

The amendment was agreed to.

AMENDMENT NO. 14 OFFERED BY MR. CHAFFETZ

Mr. CHAFFETZ. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

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

SEC. ____. None of the funds made available by this Act may be used to make (or to pay the salaries and expenses of personnel in the Department of Agriculture to make) payments for the storage of cotton under section 1204(g) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8734(g)) or for the storage of peanuts under section 1307(a) of such Act (7 U.S.C. 8757(a)).

The Acting CHAIR. The gentleman from Utah is recognized for 5 minutes.

Mr. CHAFFETZ. I would hope this body would take this amendment with the same pace we did the mohair subsidies, but perhaps not.

This amendment seeks to eliminate the cotton and peanut storage payments that we have been making. I would point out to my colleagues that President Obama recommended terminating this program in his fiscal 2012 budget. No other agriculture commodities receive this type of assistance.

I would like to read a paragraph that's found on the WhiteHouse.gov Web site:

The credits allow producers to store their cotton and peanuts at the government's cost until prices rise. Therefore, storage credits have a negative impact on the amount of commodities on the market. Because storage is covered by the government, producers may store their commodities for longer than necessary. There is no reason the government should be paying for the storage of cotton or peanuts, particularly since it does not provide this assistance for any other commodities.

I happen to concur with the President on this. I hope my colleagues would find this to be a commonsense amendment to say we should not be specifying winners and losers. In this particular case, we're going to offer a storage credit for just cotton and just peanuts. It's something that I think should be eliminated. I would hope the body would concur. I would hope we would understand we're going to have to make some changes in the way we do things. This is one instance where I actually agree with the President. I'm proud to stand in support of that and would encourage my colleagues to support this amendment.

I yield back the balance of my time.

Mr. BARROW. I move to strike the last word.

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

Mr. BARROW. Mr. Chairman, I rise in opposition to the gentleman's amendment to eliminate storage and handling payments for cotton and peanuts.

I represent a lot of producers of these commodities, and I guess it makes me a little bit more sensitive to why storage and handling is an important part of our agricultural policy and why this amendment could have potentially devastating impacts if allowed to become law.

I believe it's in the best interest of our country to support domestic agriculture. If you think our reliance on foreign oil is a nightmare, imagine what it would be like if we had to rely that much on foreign sources of food and fiber. For that reason, it has been the policy of the Congress for decades to provide a safety net to help protect domestic farmers where prices are low and world markets are unfavorable.

If you represent farm country or if you've ever worked on a farm bill, you have some idea of what a delicate balance it can be to use the different tools at our disposal to craft a law that meets the needs of farmers and consumers. Different commodities have different economies. Prices sometimes swing wildly. Sometimes, even biological differences need to be accounted for.

For example, if peanuts are not stored correctly, they can develop toxicity that renders them not only useless, but dangerous, to the consumer. Storage and handling assistance has been developed as an efficient policy for peanuts because it not only gives the farmer some latitude about how long he can store his crops, but it also improves food safety for the public.

Mr. Chairman, I was on the Ag Committee back in 2008 when we crafted the last farm bill. It's been the law of the land since then and will continue to be until next year. It's the basis on which every farmer has planned during that time. This amendment creates uncertainty for those farmers. It threatens their jobs, and it threatens the domestic production the rest of us depend on.

I believe this amendment is bad policy, and I urge my colleagues to reject it.

With that, I yield back the balance of my time.

Mr. CONAWAY. I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CONAWAY. I also oppose the amendment.

This amendment does not save one nickel in fiscal 2012. It's a bit theater. And unlike mohair, peanuts and cotton

have a little different circumstances. The storage that is talked about here is only paid if the prices for these two commodities drops below their loan rate. CBO does not estimate this to happen for the next decade in terms of these prices. The loan rates are substantially below where the current prices are. That means the producers pay for these storage costs as these products are moved to market.

So this amendment, while we debate it for some 15 to 20 minutes, will cost more to debate than it will save for the taxpayers. It is an integral part of the safety net that these producers rely upon.

You've heard this over and over tonight: The Ag Committee is best suited to develop a proper safety net and an ag policy for this country. This country has had an ag policy from its inception. We ought to stand by that ag policy once it's put in place. We put it in place in 2008. Many tradeoffs were made between conservation programs, commodity programs. Cotton and peanuts were in the mix.

We will have those exact same conversations this time next year. The farm bill will come to the floor, and those who disagree with the farm policy that's developed in the Ag Committee will have ample opportunity to come to this floor and make these arguments once again. But to do this in an appropriations bill in basically a drive-by shooting manner, in my view, is wrongheaded. We ought to trust that the Ag Committee will get this work done and get it done properly.

The 2008 farm bill was put in place. Ag producers across this country, bankers across this country, implement dealers across this country have looked at that as a deal. Most folks in the business world don't back up on a deal when they don't have to. And we don't have to in this particular instance because, as I said at the start of this, it does not cost the taxpayer any money as long as prices are high. CBO and most folks estimate that in the near term the prices will not drop below 18 cents a pound for peanuts or 52 cents a pound for cotton.

So I respectfully disagree with my colleague's attempt to alter the farm bill in this way, in an appropriations bill, and I would ask my colleagues to oppose the amendment.

I yield back the balance of my time.

Mr. BISHOP of Georgia. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BISHOP of Georgia. I think this amendment is very, very ill advised.

Storage and handling fees are an integral part of the peanut program and the cotton program. Removal of these fees will strike against the growers, the farmers' bottom line. The current marketing loan rate is $355 per ton. There has been no increase in the peanut loan rate, which is the safety net, since the 2002 farm bill. With the new farm bill expected to take place next year, it's unfair for the program to change dramatically in this final year of the 2008 farm bill.

Peanut growers changed their program from a supply-management program, in 2002, to a marketing loan program. We eliminated the old quota system. This included a price reduction from $610 per ton to $355 per ton marketing loan. The growers will lose even more if the program suffers another $50 per ton reduction due to the elimination of the storage and handling fees.

Peanuts are a semiperishable commodity. This is different from corn, from wheat and other commodities. It is economically unfeasible for producers to store their peanuts on the farm like other commodities such as corn and wheat. Peanuts need a secure and an atmospheric-controlled environment. Peanuts require intense and constant management in the warehouse storage, which a farmer does not have the skills to do.

□ 2220

Without proper management, a farmer's peanuts could go from what is known as a Seg 1 loan price, which is the best, to a Seg 3 loan price, which is contamination due to aflatoxin.

Elimination of the storage and handling program could certainly impact food safety, the safety of the product.

Shellers basically control over 75 percent of the peanuts after the peanuts leave the farmer's control. Since peanuts are semi-perishable and due to the highly concentrated shelling industry, farmers are at the mercy of the shellers in terms of pricing. Shellers could possibly force the farmer to accept a lower price that would cover the storage and handling cost. Farmers then have no alternative in selling their peanuts. That eliminates the competitive edge.

This could effectively lower the loan rate to producers, as I said, by $50 a ton. The storage and handling program has effectively been a no-net-cost program to the government. Thus, the elimination of it will not help to reduce the Federal deficit.

Again, we are here about to pull the rug out from under farmers who have relied upon what this Congress and what this government has done in setting farm policy starting from 2008 to 2012. Why would we come at this point and pull the rug out from under them and upset all of their plans? Many times they have made loans, they've had to purchase equipment, and particularly throughout the Southeast, the equipment that is required for southeastern peanut growers and southeastern farmers is varied. We've got a broad portfolio, unlike the Midwest. We grow multiple crops.

In the Southeast, from Virginia all the way to Texas, you will find that farmers will grow corn; they will grow grain, of course; they'll grow peanuts; they'll grow soybeans; and they'll grow cotton. Each of those commodities at least will require three different kinds of equipment, and the combines and the equipment for cotton costs anywhere from $250,000 to $350,000. Other equipment for peanuts, for grain, $150,000, $500,000.

This is going to undermine the bottom line, it's going to remove the competitive edge that American peanut growers have, and it's going to devastate our ability to maintain the highest quality, the safest, and the most economical peanuts anywhere in the world.

I think this is very, very ill-advised. I think it will undermine American agriculture. It will lessen our food security, and certainly that is the last thing that we need to do because we are already energy insecure.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Utah (Mr. CHAFFETZ).

The amendment was rejected.

AMENDMENT OFFERED BY MS. JACKSON LEE OF TEXAS

Ms. JACKSON LEE of Texas. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 80, after line 2, insert the following:

SEC. _____. The amounts otherwise provided by this Act are revised by reducing the amount made available for ''Agriculture Buildings and Facilities and Rental Payments'' by $13,000,000, and increasing the amount made available for the ''Office of the Secretary,'' by $5,000,000.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. JACKSON LEE of Texas. I thank the Chairman, and I thank the Agriculture appropriations subcommittee for their kindness and their deliberateness in this very long evening and as well the ranking member along with the chairman.

This is a simple amendment about food and about helping more Americans get healthy food. There is not one of us that does not understand how dry and difficult a desert is. This amendment is simply about food deserts in rural and urban areas.

This amendment provides a $5 million increase to the Office of the Secretary to allow assistance to provide relief to those who are suffering from the lack of access to food quality.

This is a healthy child, we would hope. That healthy child needs to have good food. These funds will increase the availability of affordable healthy food in underserved urban and rural communities, particularly through the development or equipping of grocery stores and other healthy food retailers.

Fast-food restaurants and convenience stores line the blocks of low-income neighborhoods, offering few if any healthy options. In rural areas, there may be no access at all. This particularly impacts African American and Hispanic communities and, as I indicated, rural communities.

This climate in the difficult times that we have requires us to be able to

allow families to have access to good food. We also have the issues of obesity and as well nutrition. Food deserts impact many districts, and I will say to you that Texas in particular has fewer grocery stores per capita than any other State.

According to the Kaiser Family Foundation, 32 percent of all children in Texas face a nutrition issue. Targeting assistance to food desert areas will provide healthy food to affected areas, open new markets for farmers, create jobs, and bolster development in distressed communities.

Farmers markets are a good idea, but farmers markets sometimes are difficult to find in our communities. Again, let me emphasize, this is about rural and urban areas. This initiative will provide for the availability of healthy food alternatives to some 23 million people living in food deserts.

Let me just suggest to you that these families that we care for, families, young families of the military, many of you have heard stories where the military families are on food stamps. Many of them live in areas beyond their bases, and some of their families are back home in rural and urban areas. This amendment, which will provide an $8 million gift back to the government, will give a mere $5 million to provide the opportunity for those food desert loopholes, if you will—rural places in our Nation where there are big gaps with access to food, and as well urban areas—to have access to the opportunity for good and healthy food.

With that, I yield back the balance of my time and ask my colleagues to support the Jackson Lee amendment that addresses the question of helping those who need healthy food.

I thank the Chairman for this opportunity to explain my amendment to H.R. 2112, which will reach back into the bill to increase the funding for the Office of the Secretary by $5 million dollars. This increase, provided for by reducing the funding for operations and maintenance of Buildings and Facilities in order to fund President Obama's Healthy Food Funding Initiative, HFFI. Supporting this amendment will not only fund an important pilot program, but save the government $8 million.

Funding HFFI will increase the availability of affordable, healthy foods in underserved urban and rural communities, particularly through the development or equipping of grocery stores and other healthy food retailers.

These "food deserts", communities in which residents do not have access to affordable and healthy food options, disproportionally affect African American and Hispanic communities. Fast food restaurants and convenience stores line the blocks of low income neighborhoods, offering few, if any healthy options.

Many of my colleagues across the aisle have made arguments about the economic climate, and the need for budgetary cuts, and I agree that we must work to reduce the deficit. We cannot, however, continue to make irresponsible cuts to programs for the underserved, lower income families, and minorities.

Since the mid-1970s, the prevalence of overweight and obesity has increased sharply for both adults and children, and obesity is a grave health concern for all Americans. However, food deserts have taken a toll on low income and minority communities and exacerbated growing obesity rates and health problems.

According to the Center for Disease Control and Prevention, CDC, 80 percent of black women and 67 percent of black men are overweight or obese. African American children from low income families have a much higher risk for obesity than those in higher income families.

The CDC also estimates African American and Mexican American adolescents ages 12–19 are more likely to be overweight, at 21 percent and 23 percent respectively, than non-Hispanic white adolescents who are 14 percent overweight. In children 6–11 years old, 22 percent of Mexican American children are overweight, compared to 20 percent of African American children and 14 percent of non-Hispanic white children.

Food deserts have greatly impacted my constituents in the 18th Congressional District, and citizens throughout the state of Texas. Texas has fewer grocery stores per capita than any other state. The U.S. Department of Agriculture, USDA, identified 92 food desert census tracts in Harris County alone. These areas are subdivisions of the county with between 1,000 to 8,000 low income residents, with 33 percent of people living more than a mile from a grocery store.

According to the Kaiser Family Foundation, 32 percent of all children in Texas are overweight or obese. These statistics underscore the staggering affect food deserts have on the health of low income and minority communities. In Houston and other cities across the country, local programs have proved that well targeted funding and assistance can create viable business outcomes and increase access to healthy food.

Targeting federal financial assistance to food desert areas through the Healthy Food Funding Initiative will provide more healthy food to affected neighborhoods, open new markets for farmers, create jobs, and bolster development in distressed communities.

The Healthy Food Funding Initiative is not a handout, or a crutch. Funding through this program is intended to provide financial and technical assistance in support of market planning, promotion efforts, infrastructure and operational improvements, and increase availability of locally and regionally produced foods.

This initiative will increase the availability of healthy food alternatives to the 23.5 million people living in food deserts nationwide. Yes, we must work toward reducing the deficit, but cutting programs that provide healthy food to those who simply do not have access to nutritional options, is not the way.

Mr. KINGSTON. Mr. Chair, I rise in opposition to the amendment.

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

Mr. KINGSTON. My dear friend from Texas has worked diligently to find something to work out with this. As I had indicated to her last night, we're trying to work on some alternatives and see if there's a way to do it. Just in the last 30 minutes, I've gotten something from GAO that says that you could actually cut out $45 million dollars from this program and that it would not affect the potential of it.

Right now what I will do—and I know my friend from California is rising. Let me yield to him because I know he probably has a different view, but I want to kind of keep the debate going.

Mr. FARR. Go ahead. I'll just strike the last word.

Mr. KINGSTON. Well, you've got 4 minutes from me. You could still strike the last word. That gives you 9 minutes.

Mr. FARR. Mr. Chairman, thank you.

I have concerns about where the money comes from as all these bills are offsetting, but I think that the purpose here should be funded. We have this whole initiative—and some of it has been attacked tonight—about trying to get healthy foods grown by American farmers to people in areas that are called food deserts, as the gentlelady from Texas pointed out. There are places that people just can't go. There isn't a grocery store. There aren't fresh fruits and vegetables.

□ 2230

I mean, think of the 7–Eleven. That's the kind of convenience stores that are around. Even the one we use up here a couple of blocks away is very limited in the amount of fresh fruits and vegetables it has.

So what this initiative is all about, and it's the President's initiative too, is trying to get food—it's an educational process. I think the hardest cultural—this is what I learned from living in other cultures in the Peace Corps. The hardest thing to do is to get people to change their eating habits. We all know that struggle when we go on a diet. So it takes a lot of education. It takes a lot of support, but it also takes the need to have access to it.

You need to have access to the fresh fruits and vegetables, and they can either come to you in a farmers market or you can go to them. But if you have neither a farmers market and there's nothing to go to, you have no option. And that's what this amendment is about, getting some money into the program that will be able to outreach and getting good, nutritious food to families who most need it who, without that, have a good chance of not growing up healthy, high incidence of obesity, high incidence of diabetes, high-risk issues that cost a lot of money for the taxpayers when they have to go on dialysis or have to be under treatment.

So we have spent many years here in the committee—and the chairman knows it very well—of looking at how do we prevent this from happening when the choices are there. These are preventable diseases and preventable ill health situations, but we've got to reach out and do it, and that's what this amendment does and I think it deserves support.

Mr. KINGSTON. If I could reclaim my time, I want to read this quote from GAO. It says: The committee may wish to consider reducing the request for this initiative for FY 12 by $45 million until the effectiveness of these

demonstration projects has been established.

And I want to say to my friend from Texas, we had some talks around this but not directly addressing it, not direct hearing; but I do remember and the gentleman from California might and I think Ms. Foley might remember that the Safeway in Washington, D.C., I believe has some sort of grant I believe to operate in an area that was considered a food desert, and I believe that that is one of the most profitable Safeways there is. Do either of you have a recollection of that? Thank you for pulling the rug out from underneath me this early.

Mr. FARR. I have a recollection of that.

Mr. KINGSTON. Do you remember that, Mr. FARR, that discussion?

Mr. FARR. Yes.

Mr. KINGSTON. Was that not about food deserts?

Mr. FARR. Yes, it was. But remember Ms. KAPTUR's amendment in our committee of trying to subsidize farmers markets to go into high-risk areas to get it started so that it does develop a market approach and can be sustainable, but we reach out and do those kinds of things.

Mr. KINGSTON. Let me reclaim my time. GAO reported that a variety of approaches, including improving access to targeted foods, have the potential to increase the consumption of targeted food that could contribute to a healthy diet, but little is known about the effectiveness of these approaches.

And so I think what I would like to do, Mr. Chairman, is continue to oppose this; but knowing my good friend from Texas and from California will keep this as a priority, we'll talk about this. You know, the hour's late. The gentlewoman's been working on this for a long time, but I need a little more focus on it before I could accept it.

The Acting CHAIR. The time of the gentleman has expired.

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

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. FARR. I yield to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. First of all, let me thank Mr. FARR and Mr. KINGSTON. I had hoped my friend from Georgia could see in his heart that this is a very small microcosm for a very large issue, and that is that food deserts do exist and the families that are impacted, number of families that include those who are members of the United States military from the very youngest child.

I have been fiscally responsible, if that is the case, to narrow this very well, and I have no quarrel with individual chains engaging in marketing outreach. But I'm talking about hard-to-serve areas that include urban and rural areas where there are no food chains to engage in any benevolent assistance.

I'm also suggesting to you that if you look at the landscape of districts across the Nation, just take for example my district is number 32 in regards to food insecurity, but there are 31 above me. The people have limited access to food.

I enjoy the point that Mr. FARR made about Ms. KAPTUR's farmers markets. This will infuse energy into the farmers markets. This will create jobs for a limited amount of pilot resources. This is the right thing to do. This is to take a great land like America and say we want everybody to minimally have access to good, healthy, nutritious food.

So I would ask for the humanitarian consideration of my friends on the other side of the aisle. I thank the gentleman from California for his instructiveness and the work of the members of this Appropriations Committee, and I ask my colleagues to support this amendment, the Jackson Lee amendment. It fills the gaping hole of the lack of food by providing resources to cure the problem of food deserts.

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

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

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

Ms. JACKSON LEE of Texas. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 23 OFFERED BY MR. GIBSON

Mr. GIBSON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 80, after line 2, insert the following:

SEC. _____. For the cost of broadband loans, as authorized by section 601 of the Rural Electrification Act of 1936, to remain available until expended, there is hereby appropriated, and the amount otherwise provided by this Act for payments to the General Services Administration for rent under the heading ''Agriculture Buildings and Facilities and Rental Payments'' is hereby reduced by, $6,000,000.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. GIBSON. Mr. Chairman, over 50 congressional districts across our country have at least 10 percent of their population without access to high-speed broadband. My district is one of these over-50 districts. Now, this is a significant impediment to job creation. We have farmers without access to the high-speed broadband. We have many small businesses in our districts, including bed and breakfasts which impact our tourism without that access. This amendment helps address this situation.

Now, the underlying bill zeroes out the loan program for rural broadband. This is down from $22.3 million that we just closed out a few months ago for FY 11, and with a healthy respect for the leadership of the Agricultural appropriations subcommittee, I think this is a mistake.

I know that there have been issues with this program in the past. I have read the IG report. I will also say that my understanding is the administration has made progress since the publishing of that report. One of the things that has been said about this program is it has not been able to address the significant volume of requests, and I think it's important to note that in March 2011 they cleared the backlog of all the applications for the program; and, in fact, there's now up to $100 million in new loan applications, showing the interest in this program.

Another criticism has been that this program is duplicative and that, in fact, you can apply under telemedicine for rural areas. And I will tell you that we have tried that in our district with no success, and this program that I'm offering as an amendment today for $6 million, a loan program, fully offset, is the only program exclusively dedicated to rural broadband. And this program, this amendment, $6 million can give us access to and support over $100 million in loan applications.

□ 2240

Mr. Chairman, this amendment will help create jobs, and it will help our farmers with profitability. Of course, I'm biased. But I believe we've got the smartest, the hardest working farmers in the world. Their issue is profitability, and this amendment will help.

The CBO assesses this amendment as neutral, and it says that it will reduce outlays by $2 million in 2012. Let me say that again. CBO says this amendment will reduce outlays by $2 million in 2012.

So how do we offset this? How do we provide access for farmers and small businesses to loan programs? We cut the Federal bureaucracy—$6 million in office rental payments.

Now, the USDA is blessed with some of the most significant office space among all the Federal bureaucracy. And in addition to what they have here in the District, in Beltsville, Maryland, there is additional office space of which they possess. So on top of all of that, there is $151 million in this appropriations bill for the rental of office space, including right here on M Street in Washington, D.C. This is a good pay-for to give access to our farmers so that they can have access to rural broadband.

So to all my colleagues, I say this is a good amendment. The only amendment that provides exclusive rural broadband access. It's supported by the American Farm Bureau. It's supported by the New York State Farm Bureau and numerous chambers of commerce in my district. I urge my colleagues to support the amendment.

I would like to yield to my good friend and colleague from Arizona (Mr. GOSAR).

Mr. GOSAR. I thank the gentleman for yielding.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. The gentleman will suspend.

The gentleman from New York must remain on his feet.

Mr. GOSAR. I rise in support of the amendment proposed by Mr. GIBSON and Mr. OWENS because I think it is exactly what the American people want us to do here in Washington. The people expect us to be responsible with their tax money. The people have made it clear, more than clear, that the Federal Government is too big. Our job is to look for waste, inefficiencies, and bloat. The Gibson-Owens amendment has found such bloat and seeks to remedy it.

There is no doubt that the USDA does good work and that the agency should have suitable workspace to conduct its work. Indeed, as Mr. GIBSON has pointed out, the USDA has 3 million square feet of prime office space on The National Mall in a beautiful building that contributes to the architectural beauty of the Nation's Capital. To learn that the USDA also has a campus in Maryland that occupies 45 acres of land is, itself, concerning.

With all that office space currently available to the USDA in the Washington area and an additional $151 million to rent office space elsewhere, why does the USDA want to rent more office space in D.C.? The people of this country will not begrudge an architecturally distinguished office for the Nation's Capital, but a luxurious high-rent office in addition is too much.

The Acting CHAIR. The time of the gentleman has expired.

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

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

Mr. KINGSTON. I want to say to the gentleman from Arizona, if I have time left over, I will yield you some. But you can also get your own 5 minutes if you want.

Mr. Chairman, I oppose this.

I want to start out by saying that the committee has taken a really close look at this over the years. And I wish you could see, from where you are sitting, better the saturation level of broadband access in the United States of America. That's in the blue. As you can see, the entire country is mostly blue according to this.

But I would not want your eyes to just strain from there, so I will give you some numbers here:

New Jersey, 100 percent penetration; Florida, 99.9 percent penetration; New York, 99.8 percent; Georgia, 99.4 percent; Arizona, 98.2 percent.

This program is not necessary. And in a time when we're talking about saving money, we do not need to increase this account. The process is burdensome. We get lots of complaints from people who have had applications pending for a long time and they can't get their questions answered, or they get approved but they can't get their money. Their eligibility is too broad. And in many areas, it competes with private sector broadband service.

Now, the IG report had a number of things that they found. They found that this rural broadband program granted loans of $103 million to 64 communities near large cities, including $45 million loans to 19 suburban subdivisions within a few miles of Houston, Texas. That's hardly the intent of the program.

The IG report also found out that they were competing with preexisting broadband access in many places and found that 159 of the 240 communities associated with the loans—that's 66 percent—already had service. I will repeat that. Sixty-six percent of the communities who got grants already had service.

Now, there was a little criticism, and the program was supposed to be reformed. But the IG took another look at it and found that, in 2009, only eight out of the 14 recommendations had had action taken on them. Thirty-four of 37 applications for providers were in areas where there were already private operators offering service, 34 out of 37.

So when our committee took a look at this, we felt like the program needed changing. It did not need new money. So I must respectfully disagree with my good friends who are offering this and stand in opposition of the amendment.

With that, I yield to my friend from Arizona.

Mr. GOSAR. Well, I would like to disagree. And that is, as I serve a vast part of Arizona, 60 percent of Arizona, in which I serve a large number of Native American tribes which are fighting to try to get economic development and trying to get broadband service, this is exactly the kind of funding that we want to direct you to the appropriate place.

The Native Americans are exactly the place that this could go. This is the economic development that they need, and they're currently in the process of trying to get that. They're trying to build that infrastructure, and this is exactly where that fund can be.

Mr. KINGSTON. I now yield to the gentleman from New York (Mr. GIBSON).

Mr. GIBSON. I thank the chairman for yielding.

I just want to reiterate that there is significant need for expanding access to rural broadband in America. We've got over 50 districts that have at least 10 percent of their population that are not in the 21st century, that don't have access to the high-speed broadband.

I want to remind my colleagues, this loan program reduces outlays by $2 million in 2012, according to the CBO. This program should not be zeroed out. It should not go from $22 million to zero. We should accept this amendment.

I urge my colleagues to accept this amendment so that we can continue to make progress with rural broadband.

Mr. KINGSTON. I yield back the balance of my time.

Mrs. LUMMIS. Mr. Chairman, I move to strike the requisite number of words.

The Acting CHAIR. The gentlewoman from Wyoming is recognized for 5 minutes.

Mrs. LUMMIS. Respectfully, my chairman and I disagree on this issue.

I raised this in our subcommittee of Appropriations, and his superior abilities to convince the subcommittee prevailed. But I weigh in on the side of Mr. GIBSON and Mr. GOSAR, and let me tell you why.

The information that the committee chairman has is correct insofar as it gives you numbers on broadband access that will allow you a speed of receiving service that is so slow that it is basically 20th century rather than 21st century communications. For example, under the speed at which the numbers that the gentleman from Georgia has derived cover, this 99, 98 percent coverage, it would take you 9 hours to download a movie. Now, who's going to do that?

But with this digital world we're in, the kinds of data that need to be unloaded in order to be a lone eagle, to have a business, to have the type of broadband access that my colleague from Arizona would like the Native Americans in his State to have, would require a much faster broadband service. And when you look at the speed of the broadband service that is consistent with having a robust community that has real broadband service, my State is at the rock bottom. Less than half of the people in my State have the kind of robust service that is typical of urban areas or suburban areas.

□ 2250

The same could be said for my colleague from Arizona and the areas of his State where Native Americans so desperately need the opportunity to market products over the Internet. So I encourage my colleagues to support the position of my colleagues, Mr. GIBSON and Mr. GOSAR. And I rise in support of their amendment.

I yield to the gentlelady from Ohio.

Ms. KAPTUR. I just wanted to ask the gentlelady if she would find the present time convenient to enter into the discussion regarding GIPSA, though we are on this amendment at this point.

Mrs. LUMMIS. With the Chairman's leave, I would consent.

The Acting CHAIR. The gentlewoman is recognized.

Mrs. LUMMIS. Would you consent to a departure as I use the remainder of my 5 minutes to discuss the issue of the stockyards and the GIPSA rule?

The Acting CHAIR. The gentlewoman is recognized for the remaining time.

Mrs. LUMMIS. I yield to my colleague from Ohio.

Ms. KAPTUR. I thank the gentlewoman. And while I will not offer an amendment to strip section 721, a legislative provision that prevents the U.S. Department of Agriculture from doing its job as instructed in the farm bill, relative to fair competition in meat products so consumers get fairly priced meats, I otherwise rise in strong opposition to the language that's in the bill.

And when the authorizing committee wrote the farm bill, USDA was directed to use the existing packers and stockyards act to restore fairness to livestock and poultry contract markets. But instead of allowing the agency to do its job, Congress, in an uneven-handed way, has allowed itself to become captured by the consolidated meat industry.

And while ranchers, farmers and producers are increasingly being squeezed out of the markets, and small, local slaughterhouses continue to close, large consolidated players manipulate the rules to favor their own business operations, and meat prices rise. Congress simply can't stand by silent.

So on behalf of the millions of farmers, ranchers and producers that struggle every day to survive as they face the gargantuan task of competing against monopolistic entities, I oppose the base language in 721.

And I would like to place two statements in the RECORD, a letter from the American Farm Bureau opposing section 721 and a letter from over 140 organizations supporting the pro-competition proposals made by the Department of Agriculture.

AMERICAN FARM
BUREAU FEDERATION,
Washington, DC, May 31, 2011.

Hon. MARCY KAPTUR,
House of Representatives, House Office Building, Washington, DC.

DEAR CONGRESSWOMAN KAPTUR: On behalf of the six million families represented by the American Farm Bureau Federation, we write to support your amendment to allow the Agriculture Department (USDA) the opportunity to complete reviewing the 60,000 comments received and the proposed rule entitled ''Implementation of Regulations Required Under Title XI of the Food, Conservation and Energy Act of 2008; Conduct in Violation of the Act.'' It is also imperative that USDA continue its economic analysis of the rule.

Farm Bureau is in the unique position of representing every species impacted by this rule. We also have no affiliation with major packers, integrators or processors, and therefore our only interest is the impact of this rule on farmers and ranchers. Because of this unique position, there are several provisions in this rule that we strongly support, while others give us pause.

Generally speaking, Farm Bureau's philosophy supports a market environment where our farmers and ranchers can sell their product in a way that best fits with their individual operation and risk aversion level. Our policy clearly states that ''We support efforts to ensure open markets to all producers.'' Over the years, our farmers and ranchers have recognized the need for a referee in the marketplace, and Farm Bureau policy supports the Grain Inspection, Packers and Stockyards Administration (GIPSA) in that role. Some of our policy supporting the authority of GIPSA includes:

''We . . . oppose any attempt to lessen the ability of [GIPSA] to adequately enforce the act and its regulations.''

''We support more vigorous enforcement of U.S. antitrust laws in keeping with original intent; to include . . . [the] Packers and Stockyards Act of 1921.''

''The Packers and Stockyards Act should be amended to . . . strengthen the ability of GIPSA to stop predatory practices in the meat packing industry.''

We support ''establishing GIPSA as the overall authority and provider of oversight to ensure livestock contracts are clearly-written, confidentiality concerns are addressed, investments are protected . . .'' as well as ''enhanced price transparency, [and] price discovery,'' and ensuring that ''contractors honor the terms of contracts.''

These overarching policy principles guide Farm Bureau's comments on this proposed rule.

It is also worth noting that Farm Bureau has consistently requested thorough economic analysis from agencies when promulgating new rules. Without such an analysis it is difficult for America's farmers and ranchers to assess the true impact of rules and to understand all of the implications of proposed rules. This rule is no exception.

We oppose language to preclude USDA from reviewing the comments and completing their economic analysis and are strongly opposed to any action that would stop work on that rule.

Sincerely,

BOB STALLMAN,
President.

House of Representatives,
Washington, DC, April 21, 2011.

ATTN: Agriculture & Appropriations Legislative Aides

DEAR REPRESENTATIVE: As a result of rapid consolidation and vertical integration, the livestock and poultry markets of this nation have reached a point where anti-competitive practices dominate, to the detriment of producers and consumers. Numerous economic studies in recent years have demonstrated the economic harm of current market structures and practices, and have called for greater enforcement of existing federal laws in order to restore competition to livestock and poultry markets.

Until recently, Congress and the U.S. Department of Agriculture have largely ignored these trends. Fortunately, Congress included language in the 2008 Farm Bill to require the U.S. Department of Agriculture to write regulations, using its existing Packers and Stockyards Act authorities, to begin to restore fairness and competition in livestock and poultry markets.

On June 22, 2010, the Grain Inspection Packers and Stockyards Agency (GIPSA) issued proposed rules to implement the 2008 Farm Bill mandates, and to address related anticompetitive practices in the livestock and poultry industries. These reforms are long overdue and begin to respond to the criticisms by farm groups, consumer groups, the Government Accountability Office and USDA's Inspector General about USDA's past lack of enforcement of the Packers and Stockyards Act. The proposed GIPSA rules define and clarify terms in the Act in order to make enforcement more effective, and to provide clarity to all players in livestock and poultry markets.

The Packers and Stockyards Act of 1921 makes it unlawful for packers, swine contractors, and live poultry dealers to engage in any ''unfair, unjustly discriminatory, or deceptive practice or device,'' or to ''make or give any undue or unreasonable preference or advantage to any particular person or locality in any respect, or subject any particular person or locality to any undue or unreasonable prejudice or disadvantage in any respect.'' The ambiguity of these terms has resulted in uncertainty in the marketplace and hindered enforcement of the Act.

Key provisions of the proposed GIPSA rules would:

Provide contract growers with commonsense protections when making expensive investments in facilities on their farms to meet the packer or poultry company requirements; provide growers, farmers, and ranchers with access to the information necessary to make wise business decisions regarding their operations; require transparency and eliminate deception in the way packers, swine contractor and poultry companies pay farmers; eliminate collusion between packers in auction markets; and provide clarity about the types of industry practices the agency will consider to be unfair, unjustly discriminatory, or when certain practices give unreasonable preference or advantage. These are all terms used in the existing statute, which have never been adequately defined.

Prohibit retaliation by packers, swine contractors or poultry companies against farmers for speaking about the problems within industry or joining with other farmers to voice their concerns and seek improvements. Currently, many farmers are often retaliated against economically for exercising these legal rights.

Allow premiums to be paid to livestock producers who produce a premium product, but requires the packer or swine contractors to keep records to detail why they provide certain pricing and contract terms to certain producers.

Reduce litigation in the industry by eliminating the ambiguity in interpretation of the terms of the Packers and Stockyards Act. Such ambiguity leads to litigation as farmers and packers seek court action to clarify the intent of the Act.

GIPSA has received approximately 60,000 comments on the proposed rule during the five-month public comment period that ended in November 22 of 2010. USDA is in the process of analyzing those comments, and providing the in-depth cost-benefit analysis necessary before issuing the final rule.

Because of the great importance of this rule to livestock and poultry producers and consumers, and the large volume of misinformation about the rule perpetuated by livestock and poultry trade associations and packer-producer groups, the undersigned organizations are writing to reiterate our strong support for the GIPSA rule and for its swift publication in final form.

We urge your support for the GIPSA rulemaking process, and its efforts to restore fairness and competition in our nation's livestock and poultry markets.

Sincerely,

Agriculture and Land Based Training Association (CA); Alabama Contract Poultry Growers Association; Alliance for a Sustainable Future (PA); Alternative Energy Resources Organization (AERO)—MT; Ambler Environmental Advisory Council; American Agriculture Movement; American Corn Growers Association; American Federation of Government Employees (AFL-CIO), Local 3354, USDA-St. Louis (representing Rural Development and Farm Loan employees in Missouri, Oklahoma, and Kansas); American Grassfed Association; American Raw Milk Producers Pricing Association; Ashtabula-Lake-Geauga County Farmers Union; BioRegional Strategies; Buckeye Quality Beef Association

(Ohio); C.A.S.A. del Llano (TX) California Dairy Campaign; California Farmers Union; California Food & Justice Coalition; Campaign for Contract Agriculture Reform; Campaign for Family Farms and the Environment; Carolina Farm Stewardship Association; Cattle Producers of Louisiana; Cattle Producers of Washington; Center for Celebration of Creation; Center for Food Safety; Center for Rural Affairs; Chemung County Church Women United (NY); Chemung County Council of Churches (NY); Chemung County Council of Women (NY); Church Women United of Chemung County (NY); Church Women United of New York State; Citizens for Sanity.Com, Inc.; Citizens for Sludge-Free Land; Colorado Independent CattleGrowers Association; Community Alliance for Global Justice; Community Farm Alliance (Kentucky); Community Food Security Coalition; Contract Poultry Growers Association of the Virginias; Court St Joseph #139, Coming/Elmira, Catholic Daughters of the Americas, Corning, NY; Crawford Stewardship Project; Cumberland Counties for Peace & Justice; Dakota Resource Council; Dakota Rural Action; Davidson College Office of Sustainability; Ecological Farming Association; Endangered Habitats League; Family Farm Defenders; Farm Aid; Farm and Ranch Freedom Alliance; Farmworker Association of Florida; Fay-Penn Economic Development Council; Federation of Southern Cooperatives; Food & Water Watch; Food Chain Workers Alliance; Food Democracy Now!; Food for Maine's Future; Gardenshare: Healthy Farms, Healthy Food, Everybody Eats;

Georgia Poultry Justice Alliance; Grassroots International; Heartland Center/Office of Peace and Justice for the Diocese of Gary, Indiana and the Integrity of Creation; Hispanic Organizations Leadership Alliance; Idaho Rural Council; Illinois Stewardship Alliance; Independent Beef Association of North Dakota (I-BAND); Independent Cattlemen of Nebraska; Independent Cattlemen of Wyoming; Institute for Agriculture and Trade Policy; Iowa Citizens for Community Improvement; Iowa Farmers Union; Island Grown Initiative Izaak Walton League; Kansas Cattlemen's Association.

Kansas Farmers Union; Kansas Rural Center; Ladies of Charity of Chemung County (NY); Land Stewardship Project; Main Street Opportunity Lab; Maryknoll Office for Global Concerns; Michael Fields Agricultural Institute; Michigan Farmers Union; Michigan Land Trustees; Michigan Organic Food and Farm Alliance; Midwest Environmental Advocates; Midwest Organic Dairy Producers Association; Minnesota Farmers Union; Missionary Society of St. Columban; Mississippi Livestock Markets Association; Missouri Farmers Union; Missouri Rural Crisis Center; National Catholic Rural Life Conference; National Family Farm Coalition; National Farmers Organization; National Farmers Union; National Latino Farmers & Ranchers Trade Association; National Sustainable Agriculture Coalition; Nebraska Farmers Union; Nebraska Sustainable Agriculture Society; Nebraska Wildlife Federation; Network for Environmental & Economic Responsibility; New England Small Farm Institute; Nonviolent Economics; North Carolina Contract Poultry Growers Association; Northeast Organic Dairy Producers Alliance; Northeast Organic Farming Association—NY; Northeast Organic Farming Association, Interstate Council; Northern Plains Resource Council; Northwest Atlantic Marine Alliance; Ohio Ecological Food and Farm Association; Ohio Environmental Stewardship Alliance; Ohio Farmers Union; Oregon Livestock Producers Association; Oregon Physicians for Social Responsibility; Oregon Rural Action; Organic Consumers Association; Organic Farming Research Foundation; Organic Seed Alliance; Organization for Competitive Markets; Partnership for Earth Spirituality; Past Regents Club, Catholic Daughters of the Americas, Diocese of Rochester, NY; PCC Natural Markets; Pennsylvania Farmers Union; Pennypack Farm and Education Center (PA); Pesticide Action Network North America; Pomona Grange #1, Chemung County NY; Powder River Basin Resource Council (WY); R-CALF United Stockgrowers of America; Rocky Mountain Farmers Union; Rural Advancement Foundation International—USA (RAFI-USA); Rural Coalition; Sisters of St. Francis of Philadelphia; Slow Food USA; South Dakota Livestock Auction Markets Association; South Dakota Stockgrowers Association; St John the Baptist Fraternity of the Secular Franciscan Order, Elmira, NY; Sustain LA; Taos County Economic Development Corporation; Texas Farmers Union; The Cornucopia Institute; Tilth Producers of Washington; Trappe Landing Farm & Native Sanctuary; Veteran Grange #1118, Chemung County, NY; Virginia Association for Biological Farming; Western Organization of Resource Councils (WORC); WhyHunger; Women, Food and Agriculture Network.

The meatpackers have a stranglehold on this House, scaring Members with millions of dollars in campaign contributions and real threats of political retribution. Instead of engaging in well-meaning public debate and attempting to win on the merits of the argument, the National Cattlemen's Beef Association, which has a right to speak out, but not a right to intimidate, sent out a national notice to its members to harass the American Farm Bureau. This is not the nature of well-meaning debate and, for many, has crossed the line of propriety.

I urge my colleagues to resist the misinformation and to stand strong for independent producers and family farmers and ranchers.

Section 721 of the base bill goes further than many realize. It will stop USDA from conducting its economic analysis of this industry.

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

Mr. KING of Iowa. Mr. Chairman, I move to strike the requisite number of words.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. KING of Iowa. I yield to the gentlelady from Ohio.

Ms. KAPTUR. I thank the gentleman so very much for that kind effort.

The current proposal will silence the nearly 60,000 comments on the rule because it will prevent USDA from reading the record. And, finally, it will undermine long overdue fairness in poultry and livestock contracts for millions of farmers, ranchers and producers.

By allowing section 721 to remain in the bill, the House is standing with the few big meatpackers and against the many thousands and thousands of producers.

To understand how illogical this committee's action is, I refer the House to the committee report where, on competition issues, the committee directed USDA to submit legal documents by June 10, 5 days ago, and before the House began consideration of this bill. On its face, the committee has directed the agency to comply with something before the House has even considered the bill. Is this proper?

Furthermore, I would note that, ironically, if section 721 were to be implemented, the agency would not be able to comply with its own report language. If there ever was a time that the Appropriations Committee has overstepped its bounds, this is it.

After the 2002 farm bill, this committee prevented USDA from implementing an important provision of law known as the Country of Origin labeling. It was the same consolidated meat packing industry crying from the rafters with claims of exaggerated economic costs which was behind the meat labeling COOL delay. We seem to have returned to the dark days, recycling the same talking points.

It took us almost 8 years and, finally, consumers now have the legal right to see where their meat comes from, which is what the vast majority of the American people wanted. So on behalf of the millions of farmers, ranchers and independent producers, I pledge to continue this fight and to prevent a similar 8 years of delay and confusion on USDA competition rules in the meat industry.

Let USDA do its job.

I thank the gentleman and the gentlewoman so much for their consideration.

Mr. KING of Iowa. Reclaiming my time, I thank the gentlelady for her attention to this matter, both gentleladies for their attention to this matter and for standing up with and for the best interests of agriculture.

Mr. FARR. Mr. Chair, I submit the following:

STATEMENT OF ADMINISTRATION POLICY

H.R. 2112—AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

(REP. ROGERS, R–KY)

The Administration has serious concerns about the content of H.R. 2112, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes. The Administration is committed to ensuring the Nation lives within its means and reducing the deficit so that the Nation can compete in the global economy and win the future. That is why the President put forth a comprehensive fiscal framework that reduces the deficit by $4 trillion,

supports economic growth and long-term job creation, protects critical investments, and meets the commitments made to provide dignity and security to Americans no matter their circumstances.

While overall funding limits and subsequent allocations remain unclear pending the outcome of ongoing bipartisan, bicameral discussions between the Administration and congressional leadership on the Nation's long-term fiscal picture, the bill provides insufficient funding for a number of programs in a way that undermines core government functions and investments key to economic growth and job creation. Programs adversely affected by the bill include:

Food and Nutrition Service (FNS). The Administration strongly objects to the level of funding provided for nutrition programs that are critical to the health of nutritionally at-risk women, infants, children, and elderly adults. The proposed funding levels would lead to hundreds of thousands of participants being cut from the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) and the Commodity Supplemental Food Program, and reduce Federal support for food banks. These cuts would undermine efforts to prevent hunger and support sound nutrition for some of the most vulnerable members of our society.

Food Safety. The Administration is concerned with the funding provided in the bill for the Department of Agriculture's (USDA's) Food Safety and Inspection Service (FSIS) which will significantly hamper USDA's ability to inspect food processing plants and prevent food borne illnesses and disease such as E. coli and Salmonella from contaminating America's food supply. The Committee's recommendation may require the agency to furlough employees including frontline inspectors which make up over 80 percent of FSIS staff. By reducing FSIS inspections, food processing plants may be forced to reduce line speeds, which could lead to decreasing product output and profits, as well as plant closures.

Healthy Food Financing Initiative (HFFI). The Administration is concerned that the bill does not support HFFI, which is a key initiative to combat childhood obesity. HFFI will expand USDA's activities to bring healthy foods to low-income Americans and increase the availability of affordable, healthy foods in underserved urban and rural communities by bringing grocery stores and other fresh food retailers to ''food desert'' communities where there is little or no access to healthy food.

Research. The bill provides insufficient funds for USDA research programs, which are needed to help solve food production, safety, quality, energy and environmental problems. By reducing funding for the Agricultural Research Service to its lowest level since 2004 as well as inadequately funding the Nation's competitive grant program, the bill will hinder the Department's ability to develop solutions to address current as well as impending critical national and international challenges.

Food and Drug Administration (FDA). The Administration is concerned that the funding level in the bill and resulting staff reductions will severely limit the FDA's ability to protect the public's health, assure the American consumer that food and medical products are safe, and improve Americans' access to safe and less costly generic drugs and biologics.

Commodity Futures Trading Commission (CFTC). The Administration strongly objects to the funding level for CFTC, as it would cause a cut in staffing levels and seriously undermine CFTC's ability to protect investors and consumers by effectively policing the futures and swaps marketplace through its current market oversight and enforcement functions. Moreover, the funding level would significantly curtail the timely, effective implementation of the Dodd-Frank Wall Street Reform and Consumer Protection Act, including new CFTC responsibilities to regulate the $300 trillion swaps derivatives market.

International Food Aid. The Administration opposes the level of funding provided for the Food for Peace Title II international food aid program as it would severely limit the United States' ability to provide food assistance in response to emergencies and disasters around the world. Given a statutory floor on non-emergency development food aid, a reduction would be borne entirely by the emergency component of the program, and would prevent distribution of emergency food aid to over 1.1 million beneficiaries.

In addition, the bill includes the following problematic policy and language issues:

Restrictions on Finalizing USDA Regulations. The Administration opposes the inclusion of section 721 of the bill, which effectively prevents USDA's Grain Inspection, Packers and Stockyards Administration from finalizing a rule on conduct that would violate the Packers and Stockyards Act of 1921. The final rule has not yet been published and any concerns about the rule are better addressed through the standard rulemaking process than through an appropriations rider.

Restrictions on FDA Regulations and Guidance. The Administration strongly opposes section 740 of the bill, which would undermine or nullify FDA statutory standards that have been in place for decades and that are essential to protect the health of Americans. The provision would unduly limit the factors that FDA considers in determining the best ways to protect the public from unsafe foods; protect the safety of the blood supply from HIV, West Nile Virus, and other infections; ensure the safety of infant formula; protect patients from drugs and medical devices that have not been shown to be safe and effective; assure that food labeling and health claims on foods are accurate; and reduce youth use of tobacco products and otherwise reduce illness and death caused by tobacco use.

WTO Trade Dispute. The Administration is concerned by a provision in section 743 that would eliminate payments that are being made as part of the mutually agreed settlement of a World Trade Organization (WTO) dispute regarding U.S. domestic cotton supports and the export credit guarantee program. The framework serves as a basis to avoid trade-related countermeasures by Brazil that are authorized by the WTO until the enactment of successor legislation to the current Farm Bill. Under the agreement, the United States is committed to fund technical assistance and capacity-building support for Brazil's cotton sector. The bill's provision preempts the resolution process and would open the door to retaliation negatively affecting U.S. exports and interests.

The Administration strongly opposes inclusion of ideological and political provisions that are beyond the scope of funding legislation.

The Administration looks forward to working with the Congress as the fiscal year 2012 appropriations process moves forward to ensure the Administration can support enactment of the legislation.

Mr. KING of Iowa. I yield back the balance of my time.

The Acting CHAIR. The question is the amendment offered by the gentleman from New York (Mr. GIBSON).

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

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

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

AMENDMENT NO. 3 OFFERED BY MR. BLUMENAUER

Mr. BLUMENAUER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

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

SEC. ____. None of the funds made available by this Act may be used to pay the salaries and expenses of personnel of the Department of Agriculture to provide benefits described in section 1001D(b)(1)(C) of the Food Security Act of 1985 (7 U.S.C. 1308–3a(b)(1)(C)) to a person or legal entity in excess of $125,000.

The Acting CHAIR. The gentleman from Oregon is recognized for 5 minutes.

Mr. BLUMENAUER. Mr. Chairman, these are challenging budgets and difficult economic times. But unfortunately, there really are alternatives to slashing environmental payments and nutritional support in the farm bill. There is an alternative to reform and modernize.

The last farm bill pretended to start limitations in payments. But exempted from the modest limitations in some areas were market loan payments, loan deficiency payments, and commodity certificates not capped. This means that entities can virtually receive unlimited title I dollars under the current law.

Mr. Chairman, it's important for us, as we are dealing with trying to reduce the strain on the Federal budget, to do so in a way that is strategic. The amendment I propose would establish a $125,000 payment limitation in total. Now, this will save two-thirds of a billion dollars.

Bear in mind that we are now cutting existing environmental contracts if this bill came forward. The majority of farmers and ranchers in this country still receive nothing, 62 percent receive nothing. In my State of Oregon, it's 87 percent of the farmers and ranchers. It's time to start with modest restrictions on government subsidies.

There are a wide range of areas in this budget. As it's working its way through the House, we're going to see very dramatic reductions, almost a third in transportation. We sliced $1 billion from sewer and water programs to State and local governments. At a time of record high farm commodity prices, this would be a time to place this modest limitation.

There's actually a question whether or not some of these payments even go to farmers at all. In 2009, some of the entities that received title I handouts—the Fidelity National Title Institute received over $4.85 million. Almost $3 million went to the Mercer County

Abstract Company. The American Marketing Peanut Association received largesse from the Federal Government worth over $3.98 million.

□ 2300

These aren't the small family farmers that I think all of us would like to support.

In this day and age, it's embarrassing to be giving away $4 million of taxpayer money in 1 year to a private, for-profit company when I think what we should be doing is concentrating on the support for America's farmers and ranchers. We have the opportunity, with this amendment, to take a step in this direction.

I would strongly urge that my colleagues join with me in adopting this amendment establishing a $125,000 overall limit, and be able to start saving two-thirds of $1 billion and send a signal that we're serious about reforming spending.

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

Mr. LUCAS. Mr. Chairman, I rise to strike the last word.

The Acting CHAIR. The gentleman from Oklahoma is recognized for 5 minutes.

Mr. LUCAS. Mr. Chairman, I rise in opposition to this amendment. This amendment would have far-reaching and devastating effects for America's farmers. I'm not sure the gentleman is aware of the full extent of this amendment.

This amendment throws the Noninsured Crop Disaster Program into an arbitrary payment limit scheme. This program, in which farmers pay a fee to obtain crop insurance coverage, protects them from catastrophic events like flooding and tornados. If this amendment passes, farmers who have been flooded out are quite literally up a creek without a paddle. They won't get the coverage they've signed up for even though they've paid in.

This amendment would also affect the permanent disaster program. Producers were required to purchase crop insurance to be eligible for that program. This amendment would be a bait and switch—they've fulfilled their end of the bargain, but we're pulling the rug out from under them now.

There's a time and a place to debate the appropriate level of support for farmers. I welcome that debate as a part of the 2012 farm bill process which will in effect begin next week. The Agriculture Committee will be auditing farm programs for effectiveness and efficiency, and then we will seek input from across the country on the best way to support our farmers and ranchers while making good use of taxpayer dollars.

Discussing farm programs in the context of a farm bill will represent honest, transparent policymaking. This amendment prevents that discussion from taking place by altering the terms of the contracts with farmers once they've already been signed. Protecting farmers during catastrophic weather events is the least we can do to maintain a stable food supply in our country.

My colleagues in the Midwest have seen firsthand the devastation that comes with flooding. My colleagues in the Southwest know how droughts can turn healthy farms into desolation. For that reason alone, I urge my colleagues to oppose this amendment. But I also urge you to oppose it because policy changes like this should be conducted within the broader context of all farm bill policy.

I urge my colleagues to vote ''no'' on this amendment.

I yield back the balance of my time.

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

The Acting CHAIR. The gentleman from Minnesota is recognized for 5 minutes.

Mr. PETERSON. Mr. Chairman, I oppose this amendment, and I want to associate myself with the remarks of Chairman LUCAS.

In the 2008 farm bill, we spent a lot of time working through this payment limitation issue. There were a lot of different ideas and a lot of different discussions, and it was not easy. We made significant reforms in this payment limitation area, and as the chairman indicated, we came to a resolution and people are relying on that. We've got a 5-year farm bill. People make decisions not from year to year; they make them in the long term, and it's just not fair to come in and change things in the middle of the stream.

One of the other things we did is we applied the payment limitations to all of the programs, and as I understand this amendment, it only applies to the commodity title. So we're once again going to create a different set of payment limitations for one part of the farm program compared to another.

I don't know exactly what the purpose of this is because the farm programs are not designed to be a welfare program or to pick winners and losers and decide how big a farm is going to be and all that sort of stuff. The purpose of these farm programs is to support production agriculture so we can feed this country and, frankly, feed the world. You read all these stories coming from all over the world that we're worried that we're not going to have enough food to feed all of the increase in population and all that stuff. If you go down this track, you're going to go down a policy that's going to make it very difficult for us to feed the world.

So this is ideology run amok. Some people have problems with the way we've designed this safety net. And I think we could do a better job, but this is just the wrong thing to do. This is too complicated an issue to settle here on the floor in a few minutes of debate. And it's just not fair to the people that have made long-term decisions, have invested a lot of money based on expecting that this farm bill was going to be in this form until September 30, 2012. So I encourage my colleagues to oppose this amendment.

I yield back the balance of my time.

Mr. HIMES. I move to strike the last word.

The Acting CHAIR. The gentleman from Connecticut is recognized for 5 minutes.

Mr. HIMES. Mr. Chairman, I rise in support of the amendment offered by my colleague from Oregon.

And with all due respect to the ranking member, I think the effort to limit these subsidies is both fiscally responsible, more in keeping with the kind of market economics that so many of us in this Chamber believe are the right way to go, and will help the health of the American people, something that will have a dramatic impact on the rising health care costs in this country.

Mr. Chairman, the amendment would limit the total title I payments to farm entities to less than $125,000 a year. It doesn't eliminate them; it simply limits them. Under current law, market loan payments, loan deficiency payments, and commodity certificates are not capped, and entities can receive unlimited title I dollars.

Mr. Chairman, 4 hours ago in this Chamber, we debated amendments that would eliminate and gut the WIC program, WIC—women, infants and children. This is a program that seeks to provide basic food to poor children, to poor families.

There were amendments that would eliminate the Food for Peace program whereby we send food—in those bags that we've all seen, ''A gift from the people of the United States of America''—to people who are starving around this planet, a gift from the people of the United States of America at a moment when we can use friends. And we said we're going to gut them, we're going to reduce them. Why would you do that? You would only do that if you face the kind of budget constraints that we face today. A brutal necessity to find savings.

Here we have an opportunity to save nearly $1 billion in subsidies to large producers. These are not small farmers, as my colleague from Oregon said. The top 10 percent of subsidy recipients receive almost three-quarters of these funds. This is not the small farmer; these are big conglomerates.

These subsidies are bailouts. We hear a lot about bailouts in this Chamber. And nobody thinks bailouts are a good thing. These are slow-motion, year-in-and-year-out bailouts of an industry.

Many of my colleagues support both the goals of fiscal responsibility and the idea that markets are efficient. Here, not only are we taking taxpayer dollars and sending them to a slow motion, perpetual bailout, but we're doing it in such a way that it creates cheap corn sugars and other things that go into the fast-food that exacerbate the obesity problem in this country. This is a bad idea. And I urge my colleagues to support this amendment for both fiscal health and sheer market grounds.

I yield to my colleague from Oregon.

Mr. BLUMENAUER. I thank the gentleman, and I appreciate his kind words and thoughtful analysis.

□ 2310

The approach that we are taking here is to put an overall limit of $125,000 in addition to what we are talking about. This would have only affected about 6,500 entities in 2009. It is an appropriate step forward.

I hear some of my colleagues concerned about changing the rules for a few thousand people who are getting huge amounts of subsidy. You know, this bill will change the rules for tens of thousands of farmers and ranchers who would otherwise get environmental protections, payments for environmental programs. In fact, some of the existing contracts would be abrogated.

Now, there are going to be lots of changes going on. I hope that we start now beginning the process of agricultural reform and making clear that we want to start by putting some overall limitation during a time of record high farm prices. There is never a good time to do it. I think the time to do it is now.

I look forward to a spirited debate on farm bill reform. I hope at some point we are able to actually do some meaningful reform, as acknowledged by even the proponents from the committee. We have got lots of problems with the existing bill. We could do a better job. It is complicated.

Well, this isn't complicated. This is straightforward and direct, and I urge an ''aye'' vote in support of the amendment.

Mr. HIMES. I yield back the balance of my time.

Mr. CONAWAY. I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CONAWAY. Mr. Chairman, once again we have come to a point where I need to defend the work of the Ag Committee, the authorizing committee, the committee that knows the most about this process.

The $125,000 limit is picked out of whole cloth. It is made up. It is arbitrary. It is capricious. It has no clue what it might have as an impact on the farmers and ranchers in the district and parts that I represent. It is a drive-by shooting of farm policy that, frankly, makes no sense whatsoever if you are really going to seriously protect the production of agriculture in this country.

On the one hand, we hear our colleagues on the other side rant about imported foods, and they want to then turn around and make sure that the American farmer and producer does not have the safety net that we promised them in 2008. Now, I understand my colleagues don't like that safety net. They had ample opportunity when they were in the majority in 2008 to effect a farm bill when it came to this floor. If they didn't like the process, they needed to take that up with Speaker PELOSI and them.

The process going forward that I anticipate happening next year is that we will begin, as the chairman has said, to audit these farm bill programs over the next several months. We will then craft, with limited resources, a new farm bill that will be introduced in the committee, debated through subcommittees and at the full committee, and then we will bring it to the floor. It will be exposed to all of these arguments in an appropriate manner that should take place, not in the appropriations process.

I know my colleagues on the other side of the aisle did not vote for the budget we passed here in April. That budget clearly said the appropriations process in 2012 would not be used to effect a farm bill, that the farm bill would be written by the Agriculture Committee, the authorizing committee in 2012.

My colleagues' arguments are unpersuasive, and I do believe this is an ill-advised amendment to go at a safety net that, by every description, is complicated, is difficult to understand, but it has worked to protect production of agriculture from the risks that they take year in and year out to provide the safest, most abundant and cheapest food and fiber source of any developed country in the world.

I urge my colleagues to vote against the Blumenauer amendment. It is the wrong policy at the wrong time and the wrong place.

I yield back the balance of my time.

Mr. BISHOP of Georgia. I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BISHOP of Georgia. Again, I think that this is an amendment that is ill-conceived. I think it will do great harm, and I think it is not timely. I agree with the gentleman that the authorizing committee has great expertise. We have taken a lot of time to vet this program, and I think for us to come tonight willy-nilly and do it is very, very ill advised.

Nineteen years ago when I came to this body I was on the authorizing committee, on the Agriculture Committee, and the chairman of the committee at that time was a gentleman by the name of Kika de la Garza. Mr. de la Garza was fond of telling us one of his life experiences, and that was his submarine story.

He said that all of his life, from the time he was a little boy, even though he grew up in the rural areas in Texas on the farm, that he wanted to ride on a submarine. He always was just enamored with submarines. Finally, after he came to Congress and after he became the chairman of a committee, he had an opportunity to go out on one of our nuclear submarines. Of course, as the guest, he was allowed to take the wheel and to submerge the submarine, to get it up, to play with the periscope, and he was just really, really amazed at how impressive that nuclear submarine was. So he turned to the captain and he asked the captain, he said, Captain, how long can this nuclear submarine stay underwater without coming up? It is so fine, we have spent so much money and it is an excellent machine. The captain looked at him and said, Mr. Chairman, how long would you guess? And Mr. de la Garza said he thought for a while, and he said, Well, maybe a year? And the captain chuckled and said, Mr. Chairman, we can stay underwater for as long as we have food for the crew.

We in this country will be able to defend ourselves and we will be able to have a strong country as long as we have food, and right now we are headed to getting imported food for the majority of our people. If we continue with the route that we are going, if we impose these limitations, if we limit the ability of our farmers to compete on a level playing field with our global competitors, all of our food will be coming from Mexico and South America and China.

We cannot afford for that to happen. America cannot stay strong. Our people cannot be healthy. We cannot get safe food if we don't allow our farmers to have the capacity to earn a living and to produce the highest quality, the safest and most economical food and fiber anywhere in the industrialized world.

We have to defeat these amendments. We have to studiously and assiduously study the way to reform these programs and to get cost-effectiveness. But tonight in this bill is not the place to do it. The time to do it is when we take up the farm bill in 2012 with the authorizing committee and all others having the opportunity to take our time and to thoughtfully craft a new farm policy.

With that, I urge the defeat of this amendment.

I yield back the balance of my time.

Mr. KIND. Mr. Chairman, I move to strike the requisite number of words.

The Acting CHAIR. The gentleman from Wisconsin is recognized for 5 minutes.

Mr. KIND. Mr. Chairman, I do rise in support of my friend, my colleague from Oregon's amendment this evening.

I am not sure if a $125,000 payment limitation is the right amount, but this isn't a new concept. There has been a lot of discussion about payment limitations under title I, and the gentleman is correct. The time to start doing this is now.

We can pretend that there aren't major policy changes being made under this agricultural appropriations bill, but there are. There are deep cuts in the conservation title. We just had a large consortium, a coalition of outdoor sporting groups, write a letter expressing their concern about the deep cuts in the voluntary and incentive-based land and water conservation programs and the impact that is going to

have on quality water and habitat protection or the ability of our farmers to be good stewards of their land. There is a huge demand for these programs which will be dramatically affected with the deep spending reductions that are contained in this appropriation bill.

The same goes for the nutrition programs. The huge funding reductions will have an impact on tens of thousands of families throughout the Nation, low-income children that rely on these programs, the Women, Infants, and Children program in particular, seniors on these nutrition programs. They are going to feel the effects of the decisions that we are making in this Agriculture appropriation bill.

Now, for so many of my colleagues to stand up this evening and claim we can't mess with title I program funding, we should wait for the next farm bill, I think, is disingenuous at best.

I ask my colleagues tonight, mohair subsidies? Is that the best we are going to be able to do? And I would submit to my colleagues that the reason why mohair was picked on is because they are not a particularly well-organized, sophisticated, politically-connected entity out there, so it was easy to go after them, as my colleague from Utah showed with his amendment.

But we have known for a long time now that these subsidy programs under title I do distort the marketplace. They do distort our trade policy, as my Brazil cotton subsidy amendment highlighted a little earlier this evening. And we are long past time to start making these revisions in light of the huge budget deficits that we are facing.

□ 2320

When 80 percent of the producers in our Nation get nothing under title I subsidies—not a dime—that leaves a very small group of entities that is receiving the bulk of these taxpayer subsidies, and we all know who they are. They're the big five grain-producing entities of this country—corn, soybeans, cotton, rice, and wheat. They're the ones who are receiving the bulk of these title I subsidy programs.

Under the farm bill, there are multiple programs which they can be eligible for: from the LDP Program, to Countercyclical, to the new ACRE Program under the last farm bill, to the Direct Payment Program. Many of us were arguing in the last farm bill whether it was necessary to go forward with direct payments that bear no relationship to current market prices—all based on past production history.

Today, we are facing world record commodity prices in these categories. Not only did we continue them, but we increased the direct payments, and we're allowing double entities on the same fund to qualify for the direct payments. Yet none of that is being discussed in the context of this Agriculture appropriations bill.

As to my original point, I'm not sure if 125 is the right level, but the concept isn't new, and it's definitely a step in the right direction. I think it's trying to bring more sanity to the title I subsidy programs, which we shouldn't be delaying until the next farm bill which may or may not happen next year. We know it's tough to get major pieces of legislation through during an election year, let alone a Presidential election year. It could be years from now before we have the next farm bill ready to go with any potential change.

So I commend my colleague for offering this amendment and for continuing the discussion, and I encourage my colleagues to seriously consider supporting it. I'm sure the Senate will have some ideas, too, on things that they recommend.

This, I think, is appropriate and it's not new; and to claim that we shouldn't touch title I, yet we're eviscerating virtually the rest of the farm bill in what we're doing with this appropriations bill, I think is disingenuous.

I would be happy to yield to my friend from Oregon.

Mr. BLUMENAUER. I appreciate the gentleman's words, and I appreciate his courtesy.

I listened with amusement to my friend from Georgia talk about his concern that we're going to be importing food from overseas if we have some reasonable limitation on these title I payments.

The food, which are the fruits and vegetables that the people in my State raise—and I met with a bunch of them this last week again—get zip. They get nada. We're cutting back on the research funding for them. We're cutting back on marketing. We're cutting back on helping them comply with the environmental requirements that they want to meet because they're good stewards of the land. We're making it harder for them to do the work of producing food for America. Yet we're having lavish subsidies for five commodities, which is where 90 percent of the money goes.

If you really cared about protecting the food supply, we'd redirect it. We'd save this $650 million, and we'd put it where it would do more good.

Mr. KIND. I yield back the balance of my time.

Mrs. LUMMIS. I move to strike the requisite number of words.

The Acting CHAIR. The gentlewoman from Wyoming is recognized for 5 minutes.

Mrs. LUMMIS. I yield to the gentleman from Minnesota.

Mr. PETERSON. I thank the gentlelady for yielding.

I just wanted to clarify that it was discussed that what we were trying to do was to get the top 20 recipients off of the EWG Web site, and I just got a copy of it.

Four of the top 10 recipients actually are title or law firms that did work for WRP. The top one is Fidelity National Title at $4.8 million. That is all work that was done on WRP contracts. It looks to me like six of the top 20 are actually abstract and title firms that did work on conservation WRP contracts that are not affected by this amendment, so that's a problem.

You're throwing all these statistics around and claiming that these big guys are getting all this money. But these aren't even farmers. These are law firms. Maybe we should have payment limitations on law firms. That might be a good thing. Maybe we should only let these guys do $125,000 worth of WRP work so that we can spread it around a little bit and make it more fair. That's the other problem with this whole concept.

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

Mr. FARR. I move to strike the last word.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. FARR. I wasn't going to rise on this amendment—and I probably shouldn't—but this discussion just bugs me.

I represent more productive agriculture in my district than anyone in this room—$4 billion in just one county—and I represent a bunch of counties. What we grow are specialty crops. We grow 85 crops in Monterey County. As we were talking about earlier, 58 percent of all the lettuce in the United States is grown in that county. We grow 35 different varieties of wine grapes, and we are the leading counties in strawberry production and in a bunch of berry productions. In fact, our motto there is that we're the ''salad bowl capital of the world,'' which includes all of the ingredients in salad—celery, lettuce. All those things, we grow.

Do you know what? They don't get a dime of support from the Federal Government. If the market falls, they eat it. If a disaster comes in, they eat it.

So the reason these amendments are brought up by Mr. KIND and Mr. BLUMENAUER year after year is that, frankly—do you know what?—the farm bill doesn't address this issue. It really doesn't. It's too tough—it's too politically tough—and there are too many vested interests in this town. You have a whole bunch of agriculture out there, and some people would suggest that more than all of the money created in commodity supports is in what they call ''specialty crops,'' and that's the stuff you eat all the time.

You can't have this bifurcated world out there where you have a bunch of people who are essentially on welfare and a bunch of people who are just assuming all the risk. What really surprises me is that, with the conservative side of the aisle over here that really is driven toward market approaches to solve problems, this is not a market approach. This is a subsidy. It's a taxpayer subsidy, and it's going to very wealthy people in some cases.

So I am rising to say this amendment, as in the past, gets defeated; but

these gentlemen have an issue, and I just beg with the leaders. I've got great respect for the ranking member of the Ag Committee here on our side of the aisle. I know he can wrestle with these problems. He's a CPA. He knows these things.

I think the handwriting is on the wall. If the conservatives on your side of the aisle would take this on as an issue that Americans are really going to address, we may get some progress on the farm bill. If you don't, you're abandoning your marketing concepts, and you're abandoning what is needed in modern America.

Just remember, that apple, that pear, that banana in there, that celery, the strawberries—the list goes on and on with all the fruits and vegetables—they don't get any of these payments. So let's not have a bifurcated agricultural production out there where half of it depends on taxpayer payments and the other half has to just live by market forces. Let's have everybody a lot more influenced by market forces.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Oregon (Mr. BLUMENAUER).

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

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

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

AMENDMENT OFFERED BY MR. KING OF IOWA

Mr. KING of Iowa. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. ____. None of the funds made available by this Act may be used to make payments (or to pay the salaries and expenses of personnel of the Department of Agriculture to make payments) under section 201 of the Claims Resolution Act of 2010 (Public Law 111–291; 124 Stat. 3070), relating to the final settlement of claims from *In re Black Farmers Discrimination Litigation*, or section 14012 of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 2209).

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. KING of Iowa. Mr. Chairman, this amendment emanates from claims that were filed subsequent to a press conference held by then-Secretary of Agriculture Dan Glickman in 1995, who said that the USDA was discriminating against black farmers. I believe that happened. Their estimate at the USDA at that time was that there were approximately 3,000 black farmers who would file claims under what resulted in a consent decree in the late nineties.

□ 2330

The 3,000 estimate became 22,551 claims of discrimination. But according to the census, there are 18,000 black farmers. According to the testimony of the president of the Black Farmers Association before the Judiciary Committee, there are 18,000 black farmers. Well, the 18,000 black farmers estimating 3,000 claims of discrimination became 22,551 claims. That was Pigford I. And $1.05 billion was paid out then to settle all of the claims that were there. There was an argument made that others didn't get filed. But it always was a number greater than the actual number of black farmers. And you can't have more black farmers discriminated against than there actually are.

They tried to open up Pigford II. This Congress didn't act on it in an affirmative way between the House and the Senate until late last fall in a lame duck session. President Barack Obama introduced legislation as a junior Senator from Illinois in 1989 and 2007, and was instrumental in pushing this through in a lame duck session that appropriated $1.15 billion to pay out claims.

Now we have not 3,000 claims. We still have 18,000 black farmers. Now we have 94,000 claims and report after report of fraudulent claims and marketing this as perpetuation of a fraud across this country. And my amendment shuts off the funding that would be used to administer or to fund the balance of these Pigford II claims, which this Congress must investigate the fraud that's here.

By the way, Shirley Sherrod, who was fired by the Secretary of Agriculture, was the largest recipient and the largest civil rights claim in the history of America, with $13 million for her claim. Three days later, Tom Vilsack hired her to work for the USDA. Later, he fired her. Later, he hired her back. Then she sued Andrew Breitbart. All of these things are information that we need to find out. This Congress cannot be paying out another $1.15 billion in good money going after bad claims. We have reports and videotape. One is a class counsel who had his own videotape and says that he has 3,000 clients who have filed discrimination claims, and least 10 percent of them are fraudulent claims. A class counsel, who was included in this second agreement, which by the way, the court has not finally approved.

So, Mr. Chairman, this amendment shuts off the funding that would be used to pay these claims, the funding that would be used to administer these claims, and it gives this Congress an opportunity to look into what has been done to the taxpayer here in America. And so I urge adoption of my amendment. I believe that I have explained what it amounts to, although it has been very intensively in the news over the last year or so.

I would urge its adoption.

I yield back the balance of my time.

Ms. JACKSON LEE of Texas. I move to strike the last word.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. JACKSON LEE of Texas. The opportunities for Members to have amendments is a privilege that should not be denied. And I respect my colleague from Iowa for his right to offer an amendment. But it is tragic and disappointing that my friend from Iowa, who served with me on the Judiciary Committee, would take this time to demean the tragic lives that black farmers, Native Americans farmers, and others impacted have experienced over several decades; to raise the name of Shirley Sherrod, whose eloquent story and painful story of the loss of her father in the segregated South, who was murdered, and the family had to survive after his tragic murder because of his color—to my knowledge, a farmer, man of the Earth.

I sat on the Judiciary Committee for a number of years, and this legislation proceeded through the Judiciary Committee. I join the gentleman in wanting to ensure the adequacy of the implementation of this settlement. I want to stand alongside a transparent system. But this was a lawsuit that many of the litigants died before they even got to the settlement. This is the American way—a battle in the courts, a settlement—had it not been for the good will of Members of this body on both sides of the aisle, members of the Congressional Black Caucus who joined with members of the Democratic Caucus, Republicans, past Presidents, who were concerned and interested in the devastation tragedy of the segregated South and a segregated Department who treated black farmers in a disparate way from others. Individuals who went bankrupt, who lost farms because they could not get the same access to agricultural loans that others could. And in the wisdom of the court system and the wisdom of this body and the wisdom of a settlement, relief was brought not before many had died and their heirs, trembling, limited, scattered, few, were able to come together and receive the funding.

I'm sorry Mr. KING was not at the signing of that final settlement and to see those historic families, patriots, who expressed nothing but love for this country. What a tragedy to come and interfere with an existing settlement. I don't even know how he can put this amendment up on the floor. It's late. We're losing our voices here. But I would ask my colleagues on both sides of the aisle to recognize that there's nothing wrong with ensuring that the Agriculture Department and the surrounding entities that are dealing with the distribution of these funds be transparent and without fraud.

But it would be absurd for any Member to join and to vote to interfere with the legitimate settlement of legitimate claims that have evidenced the pain and devastation and disregard and disparate treatment and discrimination and unconstitutional treatment of farmers who we claim on this floor today to love. Farming is part of the American fabric. And if there's any

body of people who understands farms, it is the ex-slaves who worked for 400 years without payment in the cotton fields of the South.

I ask my colleagues to consider opposing this amendment, and I rise respectfully to oppose it.

Mr. FARR. Mr. Chair, Pigford v. Glickman was a class action discrimination suit between the USDA and black farmers. The suit was filed by an estimated 2,000 black farmers who said that USDA discriminated against them in loan programs. A settlement agreement was approved in 1999.

The suit claimed that USDA discriminated against black farmers on the basis of race and failed to investigate or properly respond to complaints from 1983 to 1997.

The deadline for submitting a claim was September 12, 2000. However, a large number of applicants filed late and reported deficiencies in representation by class counsel.

Consequently, the 2008 farm bill (PL 110–246) permitted any claimant who had submitted a late-filing request under Pigford and who hadn't previously obtained a determination on the merits of their claim should obtain a determination. A maximum of $100 million in mandatory spending was made available for payments of these claims in the 2008 farm bill.

The multiple claims that were subsequently filed by over 25,000 black farmers were consolidated into a single case, In re Black Farmers Discrimination Litigation (commonly referred to as Pigford II).

On February 18, 2010, Attorney General Holder and Secretary Vilsack announced a $1.25 billion settlement of these Pigford II claims.

The Pigford II settlement provides both a fast-track settlement process and high payments to potential claimants who go through a more rigorous review and documentation process.

Potential claimants can seek the fast-track payments of up to $50,000 plus debt relief, or choose the longer process damages of up to $250,000.

Finally, our Nation's black farmers who were discriminatecl against by their own government have received some modicum of justice.

Despite years of political gamesmanship that prevented us from finding a fair resolution, thousands of families who have waited for the settlements will now receive them.

We cannot deny them this basic justice.

Ms. JACKSON LEE of Texas. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Iowa (Mr. KING).

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

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

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

AMENDMENT OFFERED BY MR. ENGEL

Mr. ENGEL. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. ____. None of the funds made available by this Act may be used by the Department of Agriculture, the Food and Drug Administration, the Commodity Futures Trading Commission, or any other Federal Agency receiving funds under this Act to lease or purchase new light duty vehicles, for any executive fleet, or for an agency's fleet inventory, except in accordance with Presidential Memorandum-Federal Fleet Performance, dated May 24, 2011.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. ENGEL. On May 24, President Obama issued a memorandum on Federal fleet performance, which requires that all new light-duty vehicles in the Federal fleet to be alternate fuel vehicles, such as hybrid, electric, natural gas, or biofuel, by December 31, 2015.

□ 2340

My amendment simply echoes the Presidential memorandum by prohibiting funds in the Agriculture appropriations bill from being used to lease or purchase new light-duty vehicles except in accord with the President's memorandum.

Two weeks ago, I introduced a similar amendment to the Department of Homeland Security appropriations bill that was accepted by both parties and passed by voice vote unanimously.

Our transportation sector is by far the biggest reason we send $600 billion per year to hostile nations to pay for oil at ever-increasing costs, but America doesn't need to be dependent on foreign sources of oil for transportation fuel. Alternative technologies exist today that, when implemented broadly, will allow any alternative fuel to be used in America's automotive fleet.

The Federal Government operates the largest fleet of light-duty vehicles in America. According to GSA, there are over 660,000 vehicles in the Federal fleet, with almost 38,000 belonging to the Department of Agriculture. Supporting a diverse array of vehicle technologies in our Federal fleet will encourage development of domestic energy resources, including biomass, natural gas, coal, agricultural waste, hydrogen, and renewable electricity.

Expanding the role these energy sources play in our transportation economy will help break the leverage over Americans held by foreign government-controlled oil companies and will increase our Nation's domestic security and protect consumers from price spikes and shortages in the world's oil markets. I ask that we all support my amendment.

The chairman, the gentleman from Georgia, and I cochair the Oil and National Security Caucus, and we do it because we believe that America cannot be totally free unless we're energy independent and while we still have to rely on hostile foreign nations to get our fuel and to get our fuel supplies.

On a similar note, I have worked with my colleagues, Mr. SHIMKUS, Mr. BARTLETT and Mr. ISRAEL, and for many years with Mr. KINGSTON to introduce the bipartisan open fuel standard, H.R. 1687. It's similar to what I'm doing now.

I just wanted to briefly mention that our bill, not this amendment but our bill, would require 50 percent of new automobiles in 2014, 80 percent in 2016, and 95 percent in 2017 to be warranted to operate on non-petroleum fuels, in addition to or instead of petroleum-based fuels. It would cost $100 or less per car to manufacture cars that would be flex fuel cars.

Compliance possibilities include the full array of existing technologies, including flex fuel, natural gas, hydrogen, biodiesel, plug-in electric drive, fuel cell, and a catch-all for new technologies.

I encourage my colleagues to support the Engel amendment and the open fuel standard as we work toward breaking our dependence on foreign oil. I thank Chairman KINGSTON for his courtesies, and I urge bipartisan support of my amendment.

I yield back the balance of my time.

Mrs. LUMMIS. Mr. Chairman, the chairman of the subcommittee informs me that he will accept the amendment.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. ENGEL).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. KING OF IOWA

Mr. KING of Iowa. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. ____. None of the funds made available by this Act may be used for mifepristone, commonly known as RU-486, for any purpose.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. KING of Iowa. Thank you, Mr. Chairman.

This is an amendment that comes and there's an Iowa focus on this that affects the whole country. We have had a practice that began experimentally in Iowa by Planned Parenthood of issuing telemed abortions by distributing RU–486, the abortion pill, what is also known as mifepristone, distributing it through a means of setting up a television monitor and it circumventing the requirement in Iowa that they be seen by a doctor. A doctor sits remotely on the other side of the Skype screen, so to speak, and interviews the potential mother, who if once she answers the questions that the doctor asks and they record it under film that they've protected themselves perhaps from liability, he clicks the mouse on the one end and it opens a drawer underneath the screen on the other end and out rolls the abortion pill, RU–486.

I am very concerned about the robo distribution of abortion pills in Iowa or anywhere else. Some of us signed a letter, 70 of us, to Kathleen Sebelius and asked if they had distributed grants for telemedicine to any of the abortion

providers, including Planned Parenthood. Their response came back in the affirmative, that they had issued several grants to Planned Parenthood; and these funds, as near as we can determine, are being used to provide telemedicine for the robo abortions, robo Skype abortions as I've described.

This amendment provides that none of the funds made available in this $15 million telemedicine line item that's in this appropriations bill shall be used for the purpose of purchasing, prescribing, dispensing, procuring, or otherwise administering mifepristone, commonly known as RU–486.

I would just urge the body to pay attention to what this means for the country and understand that no one in America paying taxes should be compelled to pay for abortions if they are doing that. Skype-robo abortions are abhorrent. They're irresponsible. We have 14 deaths of moms that have come from this; 2,207 adverse events; 339 blood transfusions; and 612 hospitalizations.

This is a dangerous drug, and to distribute it through robo-Skype abortions—I'm opposed to it philosophically for a lot of reasons, but practical minds who might disagree on the abortion issue should understand that this government should not be paying for it. This amendment prohibits the use of these funds in the $15 million line item from being used to provide telemedicine abortions.

Mr. FARR. Will the gentleman yield?

Mr. KING of Iowa. I yield to the gentleman from California.

Mr. FARR. Could you tell me where in the bill this has anything to do with what you're talking about?

Mr. KING of Iowa. Reclaiming my time, I believe I did, but I would restate that there's a line item in the bill that provides $15 million to go to grants for telemedicine.

Mr. FARR. That's not in the amendment that we have.

Mr. KING of Iowa. The amendment that I have put out here says: ''None of the funds made available by this Act may be used for mifepristone, commonly known as RU–486, for any purpose.''

And so I've specified why I'm concerned and why I address this language to the broader bill, but because there are grant funds available for telemedicine in the bill, that's why I'm concerned that this application that I've used could well go, and has gone according to Kathleen Sebelius, to those grants.

If the gentleman doesn't agree, I would think he neither would disagree with the amendment because, therefore, it wouldn't have an effect by the gentleman's interpretation.

Mr. Chairman, I urge the adoption of my amendment.

I yield back the balance of my time.

Mr. FARR. I move to strike the last word.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. FARR. Mr. Chairman, I know it's late, but I rise in opposition to this, because, first of all, using telemedicine by FDA I don't think is, one, illegal, or ill-wise. Secondly, I think what the gentleman is going to talk about is a legal drug in the United States. It's been a legitimate drug in the United States after it met all of the rigorous FDA process in 1996 and has been available since 2000 in this country.

I remember vigorous debates in this committee about the conditionality by which FDA would license this drug. It is legal and available in all 50 States in the United States, in Washington, DC, in Guam, and in Puerto Rico. It's a prescription drug which is not available to the public through pharmacies. Instead, its distribution is restricted to specifically qualified licensed physicians. To use it, a woman must go to a doctor's office.

Whatever controversy surrounded the introduction of RU–486 in the United States was settled years ago, and there's no reason for this amendment other than to stir up the controversy over the reproductive rights of women. I think by the gentleman's comments, you can see that that's what he's trying to do.

I would urge us all to oppose this amendment. And frankly it doesn't have anything to do with USDA funds, because we don't do telemedicine abortions.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Iowa (Mr. KING).

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

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

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

□ 2350

AMENDMENT OFFERED BY MR. CLARKE OF MICHIGAN

Mr. CLARKE of Michigan. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. ____. Of the funds appropriated by division B of Public Law 111–117 under the heading ''Economic Support Fund'' for assistance for Afghanistan, $7,700,000 shall be transferred to, and merged with, funds appropriated by this Act under the heading ''Agricultural Marketing Services, Marketing Services''.

Mr. CLARKE of Michigan (during the reading). I ask unanimous consent to dispense with the reading, Mr. Chairman.

The Acting CHAIR. Is there objection to the request of the gentleman from Michigan?

Mrs. LUMMIS. I object.

The Acting CHAIR. Objection is heard.

The Clerk will continue to read.

The Clerk continued to read.

Mrs. LUMMIS. Mr. Chairman, I reserve a point of order on the gentleman's amendment. I don't have a copy of it.

The Acting CHAIR. A point of order is reserved.

The gentleman from Michigan is recognized for 5 minutes.

Mr. CLARKE of Michigan. Thank you, Mr. Chair.

I would like to let this Congress know and the American people know that I've identified a funding source so that we can provide nutritious food and fresh fruits and vegetables to those Americans who live in areas around this country that the gentlelady from Texas (Ms. JACKSON LEE) so appropriately described as food deserts.

As a matter of fact, this government currently spends hundreds of millions of dollars to build agricultural businesses, to help support farmers, to help new farmers start new agricultural businesses in order to address food desert issues. Unfortunately, that money is not spent here to help Americans eat better. It's spent in the Afghanistan desert. As a matter of fact, in this previous fiscal year, this government spent over $700 million on agricultural aid in Afghanistan. What I propose is to redirect 1 percent of that money that's going to Afghanistan right now, send it back to the United States so people here can eat nutritional food and have access to fresh fruits and vegetables.

And I would like to say one thing. The argument on why we're spending that kind of money to support farmers in Afghanistan is because we don't want those farmers growing poppies to sell opium to fund safe havens for terrorists. We understand that there are people around the world that want to attack this country like they did many years ago, but because bin Laden is now dead, it's time for us to reassess our mission in Afghanistan. We don't need to spend $100 billion a year in Afghanistan right now. We need to take a share of that money to help the American people. So, if we took 1 percent of the money that we spent last year, we would be able to fund the program proposed by the gentlewoman from Texas.

Look, I've got young folks in the city of Detroit right now that would likely not have to resort to selling drugs if they could make a living in urban agriculture. We need that money that's going to Afghanistan. We need it right here in the United States so we can help our farmers here, so we can support farmers' markets, so we can provide food and nutritional supplements to our pregnant mothers and to their infants and children. Our people in the United States need a share of their own money back here, and that's why I wanted to rise to raise this point.

Now, I understand that the rules of this House may not allow me tonight to redirect that money from Afghanistan back here to this budget. And you

know what also, too? We could use a share of that money to help retire our deficit and debt at the same time. I'd like to work with you on that. But you know what we should do? We should change these darn rules of the House so we can reduce the overspending, help create jobs here, reduce health care costs—because people are going to be eating a lot better, and help the American people right now during this economic recession.

I'd like to work with you. I'd also like to work to change the rules of the House so that we can do this, and I understand at this late date this is not the time to act, but I'd like to pledge an agreement to work with the majority so that we can save the American people money, save us health care costs, provide better nutrition, address those food desert issues, fund the initiative proposed by the gentlelady from Texas (Ms. JACKSON LEE) and help end this economic recession and return us to prosperity.

With that, Mr. Chair, I ask unanimous consent to withdraw my amendment.

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

There was no objection.

AMENDMENT NO. 22 OFFERED BY MR. GARRETT

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

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

SEC. ____. None of the funds made available by this Act may be used by the Commodity Futures Trading Commission to promulgate any final rules under paragraphs (13) or (14) of section 2(a) of the Commodity Exchange Act, as added by section 727 of the Dodd-Frank Wall Street Reform and Consumer Protection Act, until 12 months after the promulgation of final swap transaction reporting rules under section 21 of the Commodity Exchange Act.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. GARRETT. This is a protect retiree pensions and jobs by ensuring a well-functioning swaps market amendment.

Mr. Chairman, I ask for your support today for my amendment which would do that—prevent unintended consequences from impacting literally millions of pension plan participants and the beneficiaries that follow. My amendment would simply require the CFTC to finalize important data-reporting rules before they implement new rules for certain swap transactions.

See, with this change, it would be able to collect the transaction data that it needs to determine the reasonable standards for block trade levels and real-time reporting requirements without first disrupting the marketplace. You see, finalizing any numerical determination of block trade sizes or setting real-time reporting requirement timeframes prior to having necessary data, really, if you think about it, would be arbitrary, would encourage litigation, and will likely have the unintended consequences on those very same pension funds I talked about—their ability to protect their investors, as well as on the economic growth of our country and job creation.

So, what this amendment would do is require swap data-reporting rules to be finalized and be in place before promulgating the final block trade rules or those real-time reporting criteria rules.

Now, I do this because numerous market participants of all shapes and sizes have sent to us public comment letters warning of the dangers of getting block trades and real-time rules wrong. I will just give you this one. I had others. I will just give you one of those letters, and that comes from the American Benefits Council. Who are they? Well, they and their members provide benefit services to over 100 million Americans in the Committee on Investment of Employee Benefit Assets, whose members include more than 100 of the country's largest pension funds and manage more than $1 trillion on behalf of 15 million member plan participants and the beneficiaries.

I will just give you one quote from this, not all the other ones: We have concerns about the sequencing of proposed real-time reporting rules in relation to the collection of swap market information. We believe that they should first obtain market information via reporting of trades of swap data repositories—which have to be set up, of course—and then propose rules based on this data such as real-time reporting, which necessarily would better serve the intended purposes.

So, in conclusion, by instituting a more commonsense approach to these rule-makings, we're giving them the ability to collect that data of the swap transaction information to determine those reasonable block trade levels that they have to set, the real-time reporting requirement as well, and to do so in a way that will not impair the well-functioning of the marketplace.

With that, I yield back the balance of my time.

Mr. PETERSON. Mr. Chairman, I rise to oppose the amendment and move to strike the last word.

The Acting CHAIR. The gentleman from Minnesota is recognized for 5 minutes.

Mr. PETERSON. Mr. Chairman and Members, this is part of the continuing effort to delay the implementation of the Dodd-Frank Act as long as possible. We've seen some other examples of that. This section deals with public reporting swap data.

What people need to understand, the people that are most afraid of the public disclosure are not the people that are using this market. It's the banks. What this is really about and what this end-user debate that's been going on is about more than anything else is that the public disclosure of this information will lower the spreads of the Wall Street banks that do these swaps. That's what's the bottom line of this whole deal.

□ 0000

If the market participants know more, like what we do in the exchange trading and so forth, the margins are going to come down and the profits of these big banks are going to shrink. In fact, some people have said that they think that once this is implemented that it's probably going to reduce the profits of the Wall Street banks 40 percent. And they don't like it, and they want to delay it.

So some would argue that we need more data collection, and I guess that's what you are arguing before this public reporting. I think for some swaps, that is the case, and I will agree with that. But on other swaps, the institutions are already collecting this data. They can go forward with this public reporting. We have the information. There's no reason to delay it. In other cases where we don't have the information, it probably isn't appropriate to delay it.

But the CFTC has the discretion to do this, and it's right in the law. It's on page 328 of the conference report. And we've put in there the criteria to allow them to move ahead with the swaps where we have the data and to delay it where we don't have the data. But what you are trying to do is you are going to delay the whole thing, and all it's going to do is ensure that these profits and these big bonuses that they're paying on Wall Street can go on longer than they need to.

So I don't know any reason why we need to do this. If you read this, they have all the discretion. All of the problems that people brought up with the block trades and these other things that people were concerned about are in there.

And the last thing it says: They have to take into account whether the public disclosure will materially reduce market liquidity. And they are doing that, and they are doing that as we're going through this process. And I believe that at the end of the day, it's going to be fine.

Mr. GARRETT. Will the gentleman yield?

Mr. PETERSON. I yield to the gentleman from New Jersey.

Mr. GARRETT. So the gentleman agrees that there is only partial information at this point in time out there.

Mr. PETERSON. On some things.

Mr. GARRETT. On some things.

On other things, the gentleman would agree that there is no information out there at all on certain—

Mr. PETERSON. Well, I wouldn't say there isn't any information. Some of these are so thinly traded that you are never going to be able to have real-time reporting. We understand that, and there is not going to be a requirement on those. But there's no reason to

stop the real-time reporting where we have the information and where that information will make these prices better for the people that use it.

And this is the same issue with the end users. They're going to get a better deal if we allow this disclosure. Why they're fighting us is beyond me, unless they're in cahoots with the Wall Street banks. I'm not sure. Do people think that the folks on Wall Street aren't making enough money? Is that what this is about? I don't know.

Mr. GARRETT. I would appreciate if the gentleman would not make the allegation that we make these applications here because anyone is in cahoots with Wall Street banks, such as you've just made.

Mr. PETERSON. They are the people that are against this. They were against it when we did it. So I just don't buy that the pension funds are the ones that are concerned about this because the things that they're concerned about are covered in the law, and they're being taken into account by Chairman Gensler and the people at the CFTC as they develop these rules.

Mr. GARRETT. If the gentleman will yield, I know I read through it quickly because I was asked to move along things quickly at the end of the evening, but one of the documents that I read was one of the comment letters. It was not from the Wall Street bank but was from the American Benefits Council, those very same pension benefits companies speaking about this. They are the ones who are raising it. So it is those end users. Those are the participants. Those people are representing beneficiaries. They are the ones who are asking for this delay. It's not the Wall Street banks that I'm making reference to. It's the pension funds.

Mr. PETERSON. There are hundreds of thousands of comments. I haven't read them all. I don't know what they all say.

Mr. GARRETT. We can supply you with the ones.

Mr. PETERSON. Well, I have end users coming into my office arguing against their own interests. So I can't figure it out.

The Acting CHAIR. The time of the gentleman has expired.

Mr. PETERSON. But all I'm saying is this is an unnecessary amendment. It's in the statute. These things are covered. It makes no sense to delay the entire situation. You have maybe a few things that are of concern, and they are going to be taken care of.

Mr. FARR. I move to strike the last word.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. FARR. What Ranking Member PETERSON is talking about is that this is an ag bill that is to help agriculture, producers of agriculture. What this amendment does is hurt them. It supports the banks by delaying transparency. So it's going to cost the end user more money. The end user is all the customers that this bill is all about.

If the gentleman really wants to help the banks, maybe his amendment ought to be in the Financial Services bill. But this is going to hurt our people that we, in this committee, work for all the time. And I don't think that's a very good amendment.

I ask for a ''no'' vote on the amendment.

I yield back the balance of my time.

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

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

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

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

AMENDMENT NO. 29 OFFERED BY MS. JACKSON LEE OF TEXAS

Ms. JACKSON LEE of Texas. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 80, after line 2, insert the following (and make such technical and conforming changes as may be appropriate):

SEC. 747. None of the funds made available by this Act may be used in contravention of the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.).

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. JACKSON LEE of Texas. Mr. Chairman, I hope my colleagues will join me in recognizing the value of emphasizing the importance of urban gardening. My amendment would prohibit any of the funds made available by the appropriations from being used in contravention of the Food and Nutrition Act of 2008.

Forty-seven million American families live in poverty that restricts their access to healthy food. The Food and Nutrition Act of 2008 supports numerous programs aimed at reducing hunger throughout the country. Seventeen million children struggle with hunger every day, affecting their ability to learn and develop in a country so full of resources. It is unconscionable that millions of children do not have enough to eat. We cannot consider proposals that would contradict existing legislation aimed at improving food security, such as the Food and Nutrition Act of 2008.

In my home State of Texas, where I represent the 18th Congressional District, 17.4 percent of all households struggle with food security. Community Food Projects Competitive Grants are a vital aspect of the Food and Nutrition Act and must be preserved. Community Food Projects Grants have helped thousands of people in low-income communities combat food insecurity by developing community food projects that encourage healthy habits and self-sufficiency. These grants increase the self-reliance of low-income communities that have historically encountered difficulties in providing foods. Programs funded by Community Food Projects Grants have been successful in cities and towns. And, in fact, more than 550,000 Harris County residents relied on the Supplemental Nutrition Assistance Program to buy food.

But one of the important aspects of this is the urban garden. The People's Garden School Pilot Program will develop and run gardens in high-poverty schools. Teaching students about health and nutrition and increasing access to healthy foods are invaluable benefits of schools where more than 50 percent of the student body qualifies for free or reduced-cost lunches.

I rise to encourage support for this particular part of the bill so that we can continue to support urban gardening. And I want to salute Veggie Pals, a gardening program that does just that. It finds patches of land wherever it might be, and it makes sure that we provide healthy food.

This amendment would ensure that nothing in this legislation, nothing in this appropriation would prohibit the growth and continued expansion of this very important concept of urban gardening. The number of Americans who suffer from poverty and hunger is unacceptable.

□ 0010

Reducing or redirecting funding meant to increase food security and nutrition is simply not an option. Join me in recognizing the value of urban gardens. And thank you to the Veggie Pals gardening program that has educated how many thousands of children and emphasized the value of good and healthy food.

This program, Veggie Pals, urban gardening, educating people about nutrition, meal preparation, physical activities, cookbooks, Olympics and others, promotes healthy behavior.

I ask my colleagues to support this amendment.

Mr. Chair, I rise before you and my colleagues today to take the opportunity to explain my amendment to H.R. 2112, "Making Appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Programs for the fiscal year ending September 30, 2012, and for other purposes." My amendment would prohibit any of the funds made available by the appropriations from being used in contravention of the Food and Nutrition Act of 2008.

47 million American families live in poverty that restricts their access to healthy food. The Food and Nutrition Act of 2008 supports numerous programs aimed at reducing hunger throughout the country.

17 million children struggle with hunger every day, affecting their ability to learn and develop. In a country so full of resources, it is unconscionable that millions of children do not

have enough to eat. We cannot consider proposals that would contradict existing legislation aimed at improving food security, such as the Food and Nutrition Act of 2008.

In my home state of Texas, where I represent the 18th Congressional District, 17.4 percent of all households struggle with food security. Community Food Project Competitive Grants are a vital aspect of the Food and Nutrition Act that must be preserved.

Community Food Project grants have helped thousands of people in low-income communities combat food insecurity by developing community food projects that encourage healthy habits and self-sufficiency.

These grants increase the self reliance of low income communities that have historically encountered difficulties in providing for their own food needs. Programs funded by community food project grants have been successful in cities and towns across America, and would certainly make a difference in the 18th Congressional District. In December of 2010, more than 550,000 Harris County residents relied on the Supplemental Nutrition Access Program to buy food.

Hunger and food insecurity have grave impacts on children. Students do not have the opportunity to succeed if they are hungry. The People's Garden School Pilot program will develop and run gardens at high poverty schools. Teaching students about health and nutrition and increasing access to healthy foods are invaluable benefits at schools where more than 50 percent of the student body qualifies for free or reduced cost lunches.

Community food project grants and other initiatives such as the People's Garden Project represent practical and long term solutions to ending food insecurity in America. We must be committed to funding programs that encourage self-sufficient food sources, highlight the importance of nutrition, and reach children at an early age.

The number of Americans who suffer from poverty and hunger is unacceptable. Reducing or redirecting funding meant to increase food security and nutrition is simply not an option. We must continue to fund programs like the community food project grants and the People's Garden.

It is the responsibility of each and every Member in this chamber to work for the well-being of our constituents and to ensure that the basic needs of constituents are met. I urge my colleagues to think of those who are affected by hunger in their districts and support this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

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

Ms. JACKSON LEE of Texas. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT OFFERED BY MR. SCALISE

Mr. SCALISE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. ____. None of the funds made available by this Act may be used to implement the Departmental Regulation of the Department of Agriculture entitled ''Policy Statement on Climate Change Adaptation'' (Departmental Regulation 1070–001 (June 3, 2011)).

The Acting CHAIR. The gentleman from Louisiana is recognized for 5 minutes.

Mr. SCALISE. Mr. Chairman, this amendment prevents any taxpayer funds from being used to implement the Department of Agriculture's new rule and regulation titled Policy Statement on Climate Change Adaptation.

Mr. Chairman, we've had this debate on cap-and-trade in the last Congress. In fact, there was a bipartisan coalition of Members that voted and ultimately defeated the cap-and-trade proposal by President Obama brought in the last Congress. And yet here we now have a new regulation that was just issued by the Department of Agriculture less than 2 weeks ago to implement, in essence, a back-door attempt to put a cap-and-trade program in place in the Department of Agriculture.

And if you'll look at some of the details laid out in this policy statement, this is a regulation that was just implemented by the Department of Agriculture. It gives new powers to the Department to go into areas where right now we, as a Congress, have said we don't want the administration to be going.

In fact, if you'll look at what agencies like the EPA are doing in trying to implement other forms of cap-and-trade, global warming, carbon emission-type programs, we've been rolling those agencies back. We've been having hearings that have showed how this is not only bad policy but this will kill jobs in America.

And so if you look at some of the provisions in this, the policy establishes a USDA-wide directive to integrate climate change adaptation planning into USDA programs, policies, and operations.

Mr. Chairman, it further goes on, it actually gives new powers to the agency. It says every single office shall identify for USDA's Office of the General Counsel areas where legal analysis is needed to carry out actions identified under this Department regulation.

Now, what does that mean? Well, if you just look at what these types of policies and regulations are being used to do at EPA, what it does is give the authority for USDA lawyers to go and issue findings that can then be used against our farmers, findings that will cost our farmers jobs, increase the price of food.

And don't just look at what this policy does. Look at what's happening in some of the other agencies where they're already trying to carry this out, and Congress has been trying to roll them back.

And so at a time when we're broke—42 cents of every dollar we spend is borrowed money—this new regulation creates and references all of these new offices, the Climate Change Program Office. It says they've got to develop a USDA climate change adaptation plan. It references the USDA's global change task force.

In fact, if you look, after they released this new regulation, they issued $7.4 million to implement a bunch of new grants that are being used to do things like study carbon credits.

Well, again, that was all brought up in cap-and-trade and rejected by Congress. And yet here they come with a de facto, back-door attempt at another cap-and-trade-type of program.

We've got to stop this attack on our job creators. We've got to stop, in this case, the attack that's being proposed on our farmers. They actually are now spending millions of dollars, the USDA is, to study how farmers can grow crops in 2050, based on what they think the climate will be under these new regulations.

Look, our local weatherman can't tell us what the weather's going to be this Saturday, within a 50 percent margin of error. And yet the Department's spending millions of dollars to tell us what the climate's going to be in 39 years to determine how our farmers should be growing crops. This is ludicrous. We rejected it here in Congress. We shouldn't be allowing these kinds of regulations to be implemented. And hopefully this amendment will get adopted.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Louisiana (Mr. SCALISE).

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

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

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

AMENDMENT NO. 28 OFFERED BY MS. JACKSON LEE OF TEXAS

Ms. JACKSON LEE of Texas. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 80, after line 2, insert the following:

SEC. _____. None of the funds made available by this Act may be used in contravention of section 310B(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(e)).

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. JACKSON LEE of Texas. As I discuss my amendment, I want to indicate to my friends on the other side of the aisle, for the life of me, I can't understand why you would oppose an amendment that costs no funds and only emphasizes the importance of urban gardening. There lies the ludicrousness of

the lack of collaboration and understanding when there are amendments that would help all of us. So I do express my great disappointment that you didn't understand the amendment and, rather than ask what the amendment meant, you voted loudly ''no.'' That's unfortunate for the American people. We do that all the time.

But I rise today to emphasize the importance of making sure that we implement the judgment that has already previously been discussed that helps the unfortunate farmers that experienced proven discrimination at the Department of Agriculture and to credit Members on both sides of the aisle for recognizing it and recognizing the importance of not infringing upon a judicial decision, a settlement that could help a number of farmers in all categories that were acknowledged by many Members of this body.

I thank a number of my colleagues who worked on these issues for a number of years. They worked on it with great sincerity and, as well, they recognized that it is important for us to continue to produce food, but, as well, we need to ensure that all farmers, small farmers and certainly minority farmers, have the opportunity to engage in their trade.

My amendment would ensure that the agricultural appropriations are effectively and promptly made available as necessary through this process and, as well, to work with cooperatives supporting small socially disadvantaged producers.

The amendment would make the allocation of funds to cooperatives supporting the work of minority and socially disadvantaged farmers as provided in section 310(b)(e) of the Consolidated Farm and Rural Development Act a priority.

Again, this particular amendment requires no money. It just indicates that we should follow through on the provisions. However, this funding is vital to support the many farmers and their families that work tirelessly to make sure that other hardworking families have food to eat. It would be hard to deny the vital role that American farmers play in our society.

It is also important that this significant group of American farmers not be overlooked, not be marginalized. And I would, frankly, say that we support their continued existence. They have a long history, and I believe it is important to do so.

As a senior member of the House Judiciary Committee, I remember the long journey we took in order to ensure that African American, Latino and Native American farmers would not be shortchanged of grants, loans, and programs. This amendment simply seeks to reinforce that.

Finally, I would make the point that I hope that we would have the opportunity to find the necessary collaboration again to settle claims of discrimination from those farmers who had not yet come under the particular recent settlement. The President had requested some $40 million to provide settlements for discrimination claims filed under the Equal Credit Opportunity Act.

□ 0020

It is unfortunate that those resources apparently were not able to be included.

The USDA anticipates that 600 claims will need to be settled under this action. The estimate of funding needed to settle these 600 cases is based on the average settlement cost for claimants under other civil rights class action law suits, most notably the already settled Pigford discrimination lawsuit.

This request was only of $20 million. It is not in this bill. This amendment does not address the fact that it's not in this bill; it simply says we are fair when we understand the issue. I hope that we will have the opportunity to understand the issue. The more farmers we can have producing the good food that has made America great—the bread basket of America—is the better way to go.

So I hope my colleagues will support this amendment that simply reinforces the importance of creating equal access to resources so that we can produce the food necessary for the American people. I showed just a moment ago that of a healthy child and a military family. We need to make sure that all Americans have access to food, and we should extinguish the concept of food insecurity. We can do that by helping the many different farmers and small farmers that rely upon these very important programs to help them produce the food for America.

Mr. Chairman, I ask my colleagues to support this amendment.

I yield back the balance of my time.

Mr. Chair, I rise before you and my colleagues today to take the opportunity to explain my amendment to H.R. 2112, "Making Appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Programs for the fiscal year ending September 30, 2012, and for other purposes." My amendment would ensure that agricultural appropriations are effectively and promptly made available to minority farmers and cooperatives supporting small, socially disadvantaged producers.

This amendment would make the allocation of funds to cooperatives supporting the work of minority and socially disadvantaged farmers as provided in Section 310B(e) of the Consolidated Farm and Rural Development Act a priority. I believe by considering cooperative development grants for farmers for the fiscal year 2012, we as a Congressional body have already taken a step in the right direction. This funding is vital to support the many farmers and their families that work tirelessly to make sure that other hardworking American families have food to eat. It would be hard to deny the vital role that American farmers play in our society. The benefits of their labors are immediately visible in our schools' cafeterias, our local grocery stores, and even on our dining room tables. American farmers and farming programs should be appreciated, supported, and funded.

However, in this significant group of American farmers, it is important that we not overlook the too often marginalized population of minority farmers. As many of you may know, the history of minority farmers and government programs is a long and tumultuous one. Minority farmers have faced years of institutionalized discrimination when applying for Federal Government funding. This is a fact that is discouraging for many minority farmers, and quite frankly embarrassing for many government institutions.

As a Senior Member of the House Judiciary Committee, I have been actively involved in the fight to ensure that minority farmers receive justice for the many discriminations that they have faced and a fair chance at achieving the American Dream. Too often African American, Latino, and Native American farmers have been shortchanged on agricultural grants, loans, and programs. This injustice has prevented minority farmers from being as successful as they could be. It has also prevented American society in general from reaping the benefits of their labor. It is with this very saddening fact in mind that I propose the immediate distribution of funding designated for cooperatives whose primary focus is to provide assistance to small, socially disadvantaged producers.

By accelerating the disbursement of this funding, minority farmers and cooperatives supporting minority farmers will have earlier access to the resources that they need and deserve. The results of this funding—technological advances and agricultural sector growth—will benefit not only farmers, but American society as a whole. The benefits will be evident on our local farms, in our neighborhood supermarkets, and in our national economy. If we want our agricultural sector to grow, thrive, and compete, we must consider this amendment to make the distribution of these funds urgent and effective.

The time has come for the United States to take a proactive role in upholding the standards of equality and fairness in the agricultural sector. I believe it is of the utmost importance that we make use of every available opportunity to acknowledge the work of all Americans whose labor contributes to the health and welfare of society. All agricultural workers, minority farmers in particular, should be provided the necessary assistance to ensure that the fruits of their labor can continue to fuel our daily work. This is not just because the government has historically done such a poor job providing equal and fair support to minority farmers, but because it is the right thing to do. With this in mind I urge the adaptation of my proposed amendment to H.R. 2112. Thank you for your time and consideration in this imperative matter.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

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

Ms. JACKSON LEE of Texas. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT OFFERED BY MS. HIRONO

Ms. HIRONO. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. ____. For preventive measures authorized under the Watershed Protection and Flood Prevention Act (16 U.S.C. 1001 et seq.) and the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590a et seq.), including research, engineering operations, methods of cultivation, the growing of vegetation, rehabilitation of existing structures, and changes in use of land, there is hereby appropriated, and the amount otherwise provided by this Act for ''Agricultural Programs—Agriculture Buildings and Facilities and Rental Payments'' is reduced by, $3,000,000, to remain available until expended.

The Acting CHAIR. The gentlewoman from Hawaii is recognized for 5 minutes.

Ms. HIRONO. Mr. Chairman, I rise to speak in support of my amendment to restore $3 million in funding for the Watershed and Flood Protection program. Funding for this program was eliminated in fiscal year 2011, and no funding is provided in this bill.

My amendment provides $3 million for this program, just 10 percent of the $30 million provided in fiscal year 2010. I am taking funding from the agriculture buildings and facilities and rental payments to offset the cost of my amendment. Under my amendment, the Natural Resources Conservation Service, NRCS, would make the determination on where to direct the funds.

The Watershed and Flood Control Program provides for cooperation between the Federal Government, States, and localities to prevent erosion, flood water, and sediment damage. This is also a vital program to further the development, utilization, and disposal of water. It also helps to further the conservation and utilization of land and authorized watersheds.

Watershed improvements under this program are cost-shared between the Federal Government and local governments. I think that's a good thing. The program is being zeroed out despite the fact that we have an unfunded Federal commitment of more than $1 billion for 297 cost-shared projects in 39 States, American Samoa, and the Commonwealth of the Northern Mariana Islands. These projects would help to reduce flood damage in 320 communities, improve agriculture water supply in 80 communities, and improve water quality in 132 streams.

Clearly, the national reach of this program is apparent from the numbers I just cited. In fact, I have a list of the 41 States and the Pacific islands that have been helped by this program, including Iowa, Kansas, Missouri, New Mexico, Oklahoma, Tennessee, Texas—the list goes on.

States and the local governments have worked together with NRCS, and they put up their own funds to construct flood control and water development projects. I don't think it is fair to leave these local governments holding the bag while the Federal Government just walks away from these commitments. Even shutting down projects of course costs money, and we can't leave them just halfway done on these projects. How can we just walk away from these projects before realizing the economic and environmental benefits they were designed to deliver?

I urge my colleagues to support funding for this important program. It affects 40 States plus Pacific islands.

I will submit for the RECORD a list of unfunded Federal commitments to authorized watershed projects in so many of our States.

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

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Hawaii (Ms. HIRONO).

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

Ms. HIRONO. Mr. Chairman, I demand a recorded vote.

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

Mr. KINGSTON. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. CONAWAY) having assumed the chair, Mr. DOLD, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2112) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes, had come to no resolution thereon.

SETTING THE RECORD STRAIGHT

(Ms. BROWN of Florida asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. BROWN of Florida. Mr. Speaker, I listened with great interest last night on the debate pertaining to cutting funds for children and women with the Department of Agriculture. And I'm greatly disturbed by the assertion that we should do that and cut programs for senior citizens and the disabled because of the budgetary problems that we're having here in Washington.

Yes, we're having problems; but those problems did not start 18 months ago. Those problems have been going on for a very long time. And we're making decisions. And when we voted—not I—in December to give billionaires and millionaires $780 billion and then in June and April you say you don't have money for pension checks and you don't have money for senior citizens and you don't have money for children and babies, it's a mispriority.

And for people to get on this floor and constantly talk about the recovery and the number of jobs, well, I want to submit just for the record the number of jobs that were saved in Florida and Georgia and other places because of the Recovery Act.

HOUR OF MEETING

Mr. KINGSTON. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. today.

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

There was no objection.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 12 o'clock and 28 minutes a.m.), under its previous order, the House adjourned until today, Thursday, June 16, 2011, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1963. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Importation of Swine Hides and Skins, Bird Trophies, and Ruminant Hides and Skins; Technical Amendment [Docket No.: APHIS-2006-0113] (RIN: 0579-AC11) received May 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1964. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Brucellosis in Swine; Add Texas to List of Validated Brucellosis-Free States [Docket No.: APHIS-2011-0005] received May 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1965. A letter from the Under Secretary, Department of Defense, transmitting the Department's Annual Report for FY 2010 regarding the training, and its associated expenses, of U.S. Special Operations Forces (SOF) with friendly foreign forces, pursuant to 10 U.S.C. 2011; to the Committee on Armed Services.

1966. A letter from the Under Secretary, Department of Defense, transmitting the Department's Evaluation of the TRICARE Program for Fiscal Year 2011, pursuant to 10 U.S.C. 1073 note; to the Committee on Armed Services.

1967. A letter from the Secretary, Army, Department of Defense, transmitting a letter regarding a directed quantity reduction; to the Committee on Armed Services.

1968. A letter from the Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Donald C. Wurster, United States Air Force, and his advancement on the retired list in the grade of lieutenant general; to the Committee on Armed Services.

1969. A letter from the Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General John T. Sheridan, United States Air