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House of Representatives

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Mr. CHOCOLA).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
May 23, 2006.

I hereby appoint the Honorable CHRIS CHOCOLA to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 31, 2006, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 25 minutes, and each Member, except the majority leader, the minority leader, or the minority whip, limited to not to exceed 5 minutes, but in no event shall debate extend beyond 9:50 a.m.

The Chair recognizes the gentleman from Florida (Mr. KELLER) for 2 minutes.

COMMENDING TOM DAVIS

Mr. KELLER. Mr. Speaker, today I am happy to welcome Tom Davis to Washington, DC. He has traveled here all the way from Spring, TX, to testify before the Subcommittee on 21st Century Competitiveness, which I chair. I invited him to talk about the ways that the private sector can help increase college access for millions of Americans.

Tom Davis is already doing his part. He is the owner of Davis Brothers Construction, a company of about 35 employees that builds multi-family homes. Most of his employees are hourly laborers who make a decent living but can't afford to send their kids to college. So Mr. Davis has said that, for any of his employees whose children want to go to college but can't afford it, he will pay for their tuition and books. His generosity has built fierce loyalty among his employees, and he has already sent seven kids to college who otherwise couldn't have gone.

It is because of businesses like his that I introduced the Family Friendly Employers Act which gives a tax incentive to those employers who pay for their employees' children to go to college. Our country could use more family friendly employers like Tom Davis.

GAS PRICE GOUGING

The SPEAKER pro tempore. Pursuant to the order of the House of January 31, 2006, the gentleman from Oregon (Mr. DEFAZIO) is recognized during morning hour debates for 5 minutes.

Mr. DEFAZIO. Well, big surprise, the Bush Federal Trade Commission finds out there is no price gouging in the oil industry. No, none whatsoever. The oil men in the White House and the vice president, the oil man, their political appointees at the Federal Trade Commission finds no price gouging. The American people aren't going to believe this.

Now, let's just take one little example with Katrina. I live on the west coast of the United States; none of our oil refined products come from the southeastern United States, yet on Labor Day weekend in Oregon the prices were identical and they had gone up by 60 cents a gallon in one day. Now, isn't that interesting.

Now, how does that work? That is not price gouging? That is market-based? So they were going to build a pipeline that day and start shipping it to the southeast, or they were going to truck it across the country? Come on. Totally separated markets. Unbelievable increase in profits. $100 million a day for ExxonMobil, the most profitable day in the history of the world, and there was no price gouging going on.

Now, there is one commissioner who has a shred of integrity left, Commissioner John Leibowitz. He issued a sharp statement. He said a handful of refiners more than doubled operating margins in ways not attributable to increased costs after the hurricanes.

Sounds like price gouging to me. No, the entire Commission determined that the firm's conduct in response to hurricane-induced reductions was consistent with competition, adding that the Bush-appointed Federal Trade Commission doesn't back proposals to create Federal price gouging laws. There is no price gouging.

So then why wouldn't we create price gouging laws? If there isn't any, there hasn't been any, we could prevent it in the future. Or maybe there really was a little teeny bit of price gouging and the Bush appointees don't want us to be able to prosecute that in the future. I think we could substitute the word consistent with business as usual.

This is not a competitive market. There is collusion. It is organized. It has been going on for more than a decade when the American Petroleum Institute suggested to Big Oil that they shut down refineries to squeeze down capacity so that they could drive up refinery margins. And, guess what. On average they are up 255 percent in 5 years. Now, this is competition according to the Bush-appointed Federal Trade Commission. The rest of us might call it collusion, market manipulation, and price gouging. The American people are seeing it.

Now, if we took two simple steps. They say, oh, there is nothing Congress

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could do anyway, don't worry about it. That is what the President says. Yeah, there are a couple things we could do. The experts say that 75 percent of the crude oil market is unregulated. It is traded in ways that would be illegal if it was controlled by the Commodities Future Trading Commission, like all other commodities and a quarter of the oil market. Traders swap back and forth, back and forth, back and forth just to drive up the price, no intention of actually taking a contract or taking delivery. They say we could squeeze 20 to 25 percent out of today's cost at the pump if we just regulated that market with the same rules as any other traded commodity and part of the oil market today.

Well, that would take us from $3.20 down to $2.56 a gallon. Not bad. I think the American people and American businesses would think that was pretty good.

And then we have the collusion to shut the refineries. Now, if we just took the refineries back to their previous margins, that was the historic margin that they got per gallon, that would knock another 50 cents a gallon off. But let's say we have got to give them an inducement to reopen the refineries that they shut, or build new ones because they tore down the ones that they shut to restrict the market to drive up the price. So with a little windfall profits tax that says these are windfall profits unless and until you invest in production and refining capacity; and if you do that, then you won't have to pay this confiscatory tax, that would take us down to somewhere around $2.26 a gallon. Now, that would be quite a gift for the American economy, American consumers, people who live in the rural parts of my district who have to commute long distances to work.

But the Republican Congress is silent and complicit with the oil men at the White House who have manipulated the Federal Trade Commission into trying to fool the American consumers and say, oh, that wasn't price gouging, that was a market at work.

Yeah. Give me a break.

DO-NOTHING CONGRESS FAILING THE AMERICAN PEOPLE

The SPEAKER pro tempore. Pursuant to the order of the House of January 31, 2006, the gentleman from New Jersey (Mr. PALLONE) is recognized during morning hour debates for 5 minutes.

Mr. PALLONE. Mr. Speaker, the Do-Nothing Congress of 1948 is about to be replaced as the most ineffective Congress in recent times. Today, just as in 1948, the American people are looking to Congress to tackle some very important issues: The war in Iraq, rising gas prices, rising college and health care costs, the economic uncertainty resulting from the outsourcing of high-paying American jobs, and a record deficit that continues to spiral out of control.

There is so much that this Congress could be working on right now, but House Republicans refuse to address any of these concerns. In fact, it is difficult to address the concerns of the American people when Congress is never in session.

I am sure the American people will be shocked to hear that this is only the 36th day the House is scheduled to hold votes this year. With only 57 scheduled voting days until adjournment, the House is now on track to meet 15 days less than the first Do-Nothing Congress of 1948. And it is no wonder the American people are so disgusted with Congress.

Mr. Speaker, the House Republican majority is simply out of new ideas. Any time that a crisis hits, they throw out the same old ideas that haven't worked for them in the past and will not work for them in the future. And let me give you a case in point. This week, House Republicans say they are finally ready to address the record gas prices Americans have been forced to pay every time they go to the gas station. So what is the new idea House Republicans will bring to the floor this week? Drilling in the Alaska wilderness, the area known as the Arctic National Wildlife Refuge. Well, that sounds familiar. That's right. You've heard it before. It's nothing new. And it will do absolutely nothing to help American consumers with the pain they now face at the pump. In fact, they wouldn't even be able to start drilling for oil out in this Alaska wilderness until a decade after Congress gives its approval. Worse yet, ANWR only holds enough oil to provide 6 months of oil to the American consumer. This is simply not an energy solution. It is the same old idea.

So then why do Washington Republicans choose to ignore the problem? Could it be that they have built such a cozy relationship with the CEOs of Big Oil that they are simply unwilling to break these bonds? Let's not forget that with two oil men in the White House and a rubber-stamp Republican Congress always ready to back them up, big oil companies have seen their profits quadruple in the past 4 years. At the same time the price of gasoline has doubled and our dependence on foreign oil has increased substantially.

As American families struggle to deal with falling wages and rising prices at the pump, the Republicans in this body continue to deliver billions of dollars in tax breaks to big oil companies.

Mr. Speaker, it is no wonder the American people are demanding change. They want results, and they aren't getting them from this Republican majority.

Unlike our Republican colleagues, House Democrats have offered some innovative and new ideas that are worth exploring. Last week, the Democratic Rural Working Group unveiled its ambitious plan to reduce our dependence on foreign petroleum and promote the production and use of clean renewable energy here at home. In other words, promote the production and use of clean renewable energy here at home so we are not so dependent on foreign oil.

Our proposal, the Democratic proposal, provides tax incentives to encourage increased biofuels production, expands the ethanol and biodiesel pumps at gas stations, and increases the number of flex fuel vehicles on the road.

The Democrats have also introduced legislation that would rescind the tax breaks to big oil companies. At a time when they are breaking record profits every quarter, why should the Federal Government hand out tax breaks to these companies? We shouldn't. It is simply not fair.

As Americans prepare to travel this weekend for the Memorial Day holiday, they should know that Democrats are offering real solutions to high gas prices to protect the American consumer, not Big Oil.

Mr. Speaker, the American people are fed up with the Republican Do-Nothing Congress and are demanding change here in Washington, something that Republicans simply cannot deliver. It is time for fresh ideas. It is time for Democrats to take control of this House so that the needs of all Americans are once again addressed on this House floor rather than just the corporate interests such as Big Oil.

109TH CONGRESS HAS UNFINISHED BUSINESS

The SPEAKER pro tempore. Pursuant to the order of the House of January 31, 2006, the gentleman from Tennessee (Mr. COOPER) is recognized during morning hour debates for 5 minutes.

Mr. COOPER. Mr. Speaker, my colleague from New Jersey who just spoke is exactly right. This Congress, this year, this House of Representatives will probably meet fewer days, fewer hours than any Congress since 1948. President Harry Truman called that Congress the Do-Nothing Congress because it did almost nothing, and it only tried to work for about 110 days out of the whole year of 365 days. We will meet for substantially fewer days than the Do-Nothing Congress. So how do you do less than nothing? Sadly, the American public is about to find out.

Now, how does the schedule happen? Well, in the House of Representatives, it is set by the majority party. They can choose. They can make us work a long year or a short year, or a very short year as they have decided to do this year.

Now, why are we meeting for so few days? Well, it is not because taxpayers back home aren't paying us a full-time, full-year salary. We are making the same pay. But yet we are able to spend 9 or 10 months of the year back home in our districts. And I love that. My wife and kids are back home, I love

being home 4 or 5 days a week every week.

But I am worried about America, and I am worried that this House is not confronting the problems that America faces, because the workweek here in Congress is really too short to even be called a workweek. The normal congressional schedule, and this week is not a normal week, but the normal schedule is we come to Washington Tuesday afternoon for a few votes on Tuesday night; those are usually inconsequential votes such as, for example, renaming post offices. On Wednesday, sometimes there are some real votes, and sometimes on Thursday, usually Thursday morning. And then by Thursday afternoon our so-called workweek is over. Well, this is called the Tuesday-Thursday Club. I have been in Congress a number of years, there always was a Tuesday-Thursday club, but membership in that club used to be reserved for a few folks who happened to have congressional districts nearby in Virginia or Maryland, or, quite frankly, for some members who didn't really care about the job, who didn't want to attend all the hearings, who didn't want to participate in the debates, who didn't want to study the legislation and really face the problems that America faces.

Sadly, today, Mr. Speaker, pretty much everybody belongs to the Tuesday-Thursday Club. Because if you are here in Washington on Monday or Friday, you will discover that none of your colleagues are. No hearings are being held. No investigations are being conducted.

For example, the majority in their wisdom has abolished most all of the subcommittees that has the power to investigate because they simply do not want investigations to take place. Well, that is one of the primary functions of Congress, is to conduct what they call oversight. And that doesn't mean overlooking a problem. It means digging into a problem so you can find out exactly how taxpayer dollars are being spent.

So, Mr. Speaker, we are in this ironic situation with America confronting a myriad of problems, and here we are working less than any time in literally a half century, working less than any time since 1948.

It is time that this Congress got down to business to confront problems such as, for example, what my constituents back home want is an immigration bill. And the House passed one back last December. The Senate hopefully will pass one this week or next week. But then those two have to be reconciled into a bill that both Houses can support. With only a few days left in this entire session, how are we going to reconcile that legislation? Is it going to be a good bill when it is reconciled? The clock is ticking, Mr. Speaker. There is very little time left.

Let me mention one other issue that I think is of great concern to all Americans. If you have anyone in your family who has been touched by the dread diseases of Parkinson's or Alzheimer's or diabetes or cancer or a stroke or heart disease, or any other of a myriad of diseases, you are probably interested, you are probably in strong support of embryonic stem cell research so that our brilliant scientists can try to discover cures for these dread diseases. The best information we have is that some 72 percent of the American people favor research in this area. They want it done. They want it done now. They want it done in America, too. They are not willing to outsource an entire area of scientific hope for our patients. But although this House passed a stem cell bill, the Senate has not, and we need action on that, because the House passed stem cells a year ago.

I see that my time is expired, Mr. Speaker. Thank you.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 10 a.m. today.

Accordingly (at 9 o'clock and 18 minutes a.m.), the House stood in recess until 10 a.m.

□ 1000

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BASS) at 10 a.m.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

With the words about Judith from the Hebrew scriptures, let us pray for each of the women who serve in our military forces:

''Strike up a song to our God. Let us sing a hymn of praise as we honor and call upon God's holy name.

''The Lord is our God who stamps out wars. Enemies have threatened us and set fire to our land. The young they have killed, and they have left us widows and orphans.

''Yet the Lord has fought back with a woman's hand. She took off her mourning cloak and has taken on a new beauty.

''Some were struck by her daring. Others stopped by her boldness. She has led her people with a shout of triumph, and the enemy became paralyzed with fear.''

So let us sing a new hymn, in our day, to the Lord, for the strength of our God has been made known in the glory of this woman, now and forever. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Georgia (Mr. PRICE) come forward and lead the House in the Pledge of Allegiance.

Mr. PRICE of Georgia led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

NEW IRAQI GOVERNMENT: SUCCESS

(Mr. PRICE of Georgia asked and was given permission to address the House for 1 minute.)

Mr. PRICE of Georgia. Mr. Speaker, I rise today to acknowledge and applaud the inauguration this past weekend of Iraq's new permanent unity government. For 3 years, democracy has been coming to Iraq, and now it is officially here.

Millions have participated in the process, voting and debating, and now the people of Iraq finally have their own sovereign, democratically elected government. The Iraqis have overcome huge obstacles, uncertainty, threats, violence and fear, but have continued to stand firm for the most noble of ideals, freedom and democracy.

In just 3 years, we have seen a tyrannical oppressive dictatorship removed and a fully sovereign democracy born. Their new government is one of unity with Kurds, Shiites and Sunnis all serving in prominent leadership roles. All the people of Iraq may proudly stand up and say, this is their government, their country, and they will honor and protect it.

Mr. Speaker, the historic significance of this event cannot be overestimated. From this day forward, we must always look at Iraq as a nation of independence, a nation of freedom and a nation of democracy. May it always be.

''NO COST'' SUGAR PROGRAM

(Mr. BLUMENAUER asked and was given permission to address the House for 1 minute.)

Mr. BLUMENAUER. Mr. Speaker, there is a Dear Colleague circulating on Capitol Hill that talks about our no-cost sugar subsidy program. I would suggest that each of our Congressional offices have a little contest, take the certified smart young interns that we have working for us and have a contest in your office. See how long it takes them to prove how bogus that claim is.

How long will it take them to find out that there is a $1- to $2 billion cost to the taxpayer and the consumer, that there are environmental costs for cleaning up the Everglades, that this program threatens over 500,000 American jobs in the candy industry that are being driven to Mexico and Canada

because our cost of sugar is two to three times the world price.

Those interns will find that 40 percent of the benefits go to 1 percent of the growers, and just two huge companies in south Florida get $120 million a year.

It is time to make modest adjustments and have a serious discussion about how to treat sugar in this assembly. I strongly urge approval of the amendment that Mr. FLAKE and I will be offering later today.

AMERICANS NEED NOT APPLY

(Mr. POE asked and was given permission to address the House for 1 minute.)

Mr. POE. Mr. Speaker, imagine a place where one can get a job with no identification, no references, no experience. You show up, and after a few hours, you walk away with hard cash in your pocket. No questions asked. You pay no taxes. You pay no Social Security. You pay no health coverage, and at the end of the day, somebody else pays for all of that.

Welcome to your local day labor center funded by American tax dollars. Government money to get hoards of illegals day labor jobs with the help of your wallet. Provide that cheap plantation labor for businesses that exploit the law at the expense of real Americans.

But these day laborers don't always work, Mr. Speaker. One in New York partied on cocaine and beer then beat, raped and murdered a woman after a subcontractor hired him to power wash her home. That Guatemalan had been illegally in the United States for 5 years. Another example of our government's failure to keep illegals out of America but provide them jobs while they are here.

Mr. Speaker, whose side is our government on? Our government should be buying into America, not selling out to illegals.

And that's just the way it is.

ANNIVERSARY OF H.R. 810, STEM CELL RESEARCH ENHANCEMENT ACT

(Ms. DEGETTE asked and was given permission to address the House for 1 minute.)

Ms. DEGETTE. Mr. Speaker, nearly 1 year ago today, we witnessed a truly historic event on the floor of this House: Members of Congress from both sides of the aisle joining together to put patients first by passing H.R. 810, the Stem Cell Research Enhancement Act.

Two months later we were further encouraged when the majority leader of the other body announced his support for our bill. At that point, it appeared that the hopes of so many patients and caregivers would finally be realized as this critically important research would obtain the funding necessary to reach its true potential. Unfortunately, Mr. Speaker, that is the last we heard of this bill; 364 days after passage of the bill in the House, the other body remains silent. They have proceeded to work on numerous other bills, including the designation of 46 post offices, but they have refused to put patients first.

In the meantime, in the last year, 1.5 million people have been diagnosed with diabetes; 55,000 were diagnosed with Parkinson's; and 8,700 with multiple sclerosis.

It is time for the other body to put patients first and pass H.R. 810.

NORTH CAROLINA TEACHER OF THE YEAR

(Mr. MCHENRY asked and was given permission to address the House for 1 minute.)

Mr. MCHENRY. Mr. Speaker, today I rise to congratulate Diana Beasley, a biology teacher at Hickory High School in my district, for being named North Carolina's Teacher of the Year.

A teacher for over two decades, Mrs. Beasley is known for bringing passion to her job while instilling confidence in her students. Mrs. Beasley will spend the next year as a teaching ambassador, traveling throughout North Carolina and acting as a role model for teachers and students alike.

It has been said, ''Teachers who inspire realize there will always be rocks in the road ahead of us. There will be stumbling blocks or stepping stones; it all depends on how we use them.''

Mrs. Beasley is like all great educators, teaching us more by who she is than by what she says.

Mr. Speaker, I commend the great work of Mrs. Beasley and the tireless, selfless investment she has made to the future of my district and to the future of North Carolina.

STEM CELL RESEARCH

(Mr. CHANDLER asked and was given permission to address the House for 1 minute.)

Mr. CHANDLER. Mr. Speaker, I rise today on behalf of life and on behalf of my constituents whose voices are weakening because they are losing their battles with diseases such as diabetes, Alzheimer's, Parkinson's and ALS.

Just last week, I met with Mary Lou Smith of Lexington, Kentucky, who struggles daily with her battle against Lou Gehrig's disease.

Diagnosed in February of 2005, this degenerative neurological disease has quickly devastated her and her family.

It is individuals such as Mary Lou Smith that exemplify the urgency for the Federal Government to act on stem cell research. I urge the other body to pass H.R. 810, which the House passed 1 year ago tomorrow.

Stem cell research has the potential to not only improve the quality of life of people living with ALS but save the lives of individuals all across this world.

DELIVER ECONOMIC OPPORTUNITIES TO AMERICANS

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, 3 years ago, I visited the White House and witnessed President Bush sign several historic tax cuts into law. House Minority Leader Nancy Pelosi predicted that none of these cuts would create jobs, but we have actually seen 5.2 million American jobs created in only 2½ years. Additionally, our country has the lowest average unemployment rate in over four decades.

By decreasing income taxes, doubling the child tax credit, reducing the marriage penalty, and creating new incentives for small businesses, Republicans have delivered tremendous economic opportunities throughout our country.

Last week I was proud to visit the White House again to watch President Bush sign another law to help prevent tax increases upon American families. While Democrats have proposed to increase taxes by $772 billion, House Republicans will always fight to ensure that American families keep more of their own hard-earned income.

In conclusion, God bless our troops, and we will never forget September 11.

EXPANSION OF STEM CELL RESEARCH

(Mr. LANGEVIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LANGEVIN. Mr. Speaker, it has been 1 year since the historic bipartisan achievement in the House of Representatives when we voted overwhelmingly to support stem cell research. Yet Americans and others around the world have continued to suffer from devastating illnesses and disabilities while scientific progress has been limited at home due to restrictive policies. Other nations with more progressive policies have not let the opportunities slip by.

Let us look at lung disease as one example. In the past year, an estimated 342,000 Americans have died of lung disease; yet researchers in London have coaxed embryonic stem cells to change into specialized lung cells, highlighting the potential for embryonic stem cells to be used in regenerative medicine.

All this while the United States Senate has failed to hold a vote on H.R. 810 and the President has failed to offer support for the advancement of this science, which holds tremendous potential not only for lung disease but Parkinson's disease, ALS, and even spinal cord injuries and so many others.

Mr. Speaker, the suffering faced by so many Americans dealing with disease and chronic conditions is shameful in the face of such potential treatments and cures. I urge all my colleagues in the House to encourage our

friends in the Senate to act swiftly to pass the Stem Cell Research Enhancement Act.

NATIONAL GUARD

(Mr. GINGREY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GINGREY. Mr. Speaker, I rise today in strong support of border security.

Every day we fail to put a meaningful immigration reform bill on President Bush's desk is 1 more day illegal immigrants will steadily flow across our border, seeking the unearned rewards of American society.

I strongly support President Bush's call for temporarily utilizing members of our National Guard along the border. Guardsmen have the training and skills needed to support our overburdened Border Patrol, as we continue to expand its numbers.

As they have in the past, National Guard units will assist with constructing barriers, providing surveillance operations, and analyzing intelligence. All of these functions will help secure our border while rightfully leaving law enforcement duties to the U.S. Border Patrol.

Mr. Speaker, the National Guard units are a temporary solution to help stop the flow of illegal immigrants into this Nation. I remain committed to legislation that gives our Border Patrol better tools, more personnel and the resources they need to secure our borders.

ONE YEAR ANNIVERSARY OF THE PASSAGE OF H.R. 810, THE STEM CELL RESEARCH ENHANCEMENT ACT

(Mr. CARNAHAN asked and was given permission to address the House for 1 minute.)

Mr. CARNAHAN. Mr. Speaker, I rise to recognize it has been 1 year since this House passed H.R. 810, the Stem Cell Research and Enhancement Act, and still there is no action by the Senate.

Stem cell research holds the promise of cures for many diseases. Removing the Bush administration's limits will expand research and support the hopes of millions of Americans who work every day to survive under the burden of a life-altering diagnosis. Science, not politics, should determine the future of this vital research.

The House passed H.R. 810 with extraordinary bipartisan effort, and most believe there is a bipartisan group in the Senate of well over 60 votes to pass this bill. And still there is no action in the Senate.

We stand here with the tools in our hands to ease the pain of so many across this country and around the world. If we don't tap into this potential, we will never know what it can yield. To forego potentially lifesaving cures is simply immoral. It is time for the Senate to act on lifesaving cures.

□ 1015

MEXICAN PRESIDENT SHOULD WORK TO GUARD BORDER

(Mrs. BLACKBURN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BLACKBURN. Mr. Speaker, I read in the paper this morning that Mexican President Vicente Fox is visiting the United States today. I would like to encourage him to visit the border and to understand why we are so troubled by what is happening there. The reported actions on that border, they are not good for his country. They are certainly not good for our's.

And I hope he does spend some time observing the power of freedom and capitalism, to make a better life for countries which choose to honor these values. That power of freedom is a reason people want to come. We ask that they come legally and respecting those laws and respecting those freedoms.

I also hope that he will speak to those breaking U.S. law, violating the security on our border and tell them he does not condone what they are doing.

Mr. Speaker, the Mexican President should be working with us to guard our borders, not encouraging his nation's citizens to cross our borders illegally. We hope he will join us in the fight against terrorism.

SOMETHING IS ROTTEN IN THE STATE OF BIG OIL

(Mr. BISHOP of New York asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BISHOP of New York. Mr. Speaker, while the Federal Trade Commission says price gouging isn't a problem at the Nation's gas pumps, American families know there is something rotten in the state of big oil.

In the face of soaring gas prices that have pinched consumers for over a year, record breaking profits and nine-figure golden parachutes for oil CEOs, it is impossible to fathom why the FTC didn't include any meaningful recommendations about how to deal with price spikes or why our leadership in Congress hasn't done a better job delivering relief to American families approaching the peak summer months of gas consumption.

One thing is for sure: This rubber stamp Republican Congress bears responsibility for an energy policy that makes a priority of handing out billions worth of tax breaks for an industry that simply doesn't need it, as one CEO testified before the Senate, above delivering real relief to consumers.

When all five FTC Commissioners back up their report before the Senate Commerce Committee today, it is going to be a tough sell to the American people that price gouging really isn't a problem and that what is good for the oil companies' bottom line is good for the American families.

REPUBLICANS HAVE ALREADY WORKED TO GAIN BORDER SECURITY

(Ms. FOXX asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. FOXX. Mr. Speaker, Democrats unveiled their national security agenda recently with much fanfare. High on their agenda was improving border security. So how can Democrats improve border security?

Here are some suggestions. First, you get a border security bill that addresses the hiring of illegal immigrants and gaining control of our borders. Second, you can have a bill that completes the mission of the 9/11 Commission recommendations by implementing common-sense reforms in order to better protect our homeland.

Now, I am sure many on this side of the aisle are asking, didn't we pass legislation like this? Why, yes we did. Back in December 2005, we passed the Border Protection Anti-Terrorism and Illegal Immigration Control Act, which combats the hiring of illegal workers and increases penalties for alien smuggling. We also passed the Real ID, which requires driver's license applicants to provide proof they are in the country legally and closed asylum loopholes that the 9/11 Commission found had been abused by a number of terrorists.

Mr. Speaker, I guess the Democrats left improving border security on their list because they didn't vote for either bill. But I say they should check it off. House Republicans have already accomplished it.

REPUBLICANS UNDERFUND OUR VETERANS

(Mr. FILNER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FILNER. Mr. Speaker, as we near Memorial Day, it is especially important to recognize the dedication of the men and women who have served in our Armed Forces over the years. Across the country on Monday, flags will be flown, parades will be held, and many Americans will enjoy a day off work. However, truly honoring our veterans means making sure their needs are met every day of the year, not just on one day in May.

Democrats believe strongly in providing for America's veterans. That is why we introduced the New GI Bill for the 21st Century, comprehensive legislation that will strengthen benefits for veterans and military retirees, as well as the men and women serving our country today.

Unfortunately, our colleagues on the other side of the aisle do not seem to

share this same dedication to fully funding veterans programs. In fact, the Republicans recently passed a 5-year budget that cuts veteran health care by $6 billion, even as hundreds of thousands of new veterans return from Iraq and Afghanistan in need of VA care. They yell ''support our troops, support our troops,'' but these returning men and women will have to wait almost a year for some appointments.

Mr. Speaker, the brave men and women who risk their lives in our Armed Forces deserve more than just our respect. They also deserve the quality health care we promised them when they enlisted.

TAX RELIEF LEGISLATION PROVIDING RELIEF TO AMERICANS

(Mr. MARIO DIAZ-BALART of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, Florida once again led the Nation in job growth during the past year with 261,000 new jobs. To continue this growth, Mr. Speaker, in Florida and the rest of the country, this Republican Congress passed a tax relief bill which ensures millions of American families, small businesses and seniors will continue to enjoy relief from budget-busting, economy-killing tax increases.

Yet despite our sustained economic success and the shrinking deficits, Democrat leadership continues to endorse policies that would slam the brakes on our economic success and our remarkable job growth. Just last week, Mr. Speaker, House Democrats, like the minority leader and the ranking Democrat member of the Ways and Means Committee, voted for a massive tax hike on hard-working Americans, more than half a trillion dollars in increased taxes over the next 5 years, or enough to pay for all the expenditures of all the governments of the Western Hemisphere combined for an entire year.

The American people, Mr. Speaker, want and deserve a fiscally responsive government, not the burdensome tax burden one that the Democrats continue to vote for.

STEM CELL RESEARCH: IT'S TIME FOR THE SENATE TO ACT

(Mr. EMANUEL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. EMANUEL. Mr. Speaker, today marks the one year anniversary of the House passage of the Stem Cell Research Enhancement Act. By a vote of 298–134, the House overwhelmingly approved the stem cell bill, which would expand the Federal Government's investment in vital promising research.

Embryonic stem cells hold the key to the treatment of diseases like Parkinson's, Alzheimer's, ALS and many other currently incurable diseases. An overwhelming majority of Americans support this research.

This is not a traditional Democrat versus Republican issue, it is about a right versus a wrong. Yet a year after House action, America is still waiting on the Senate.

Two weeks ago, the Senate held its ''Health Week,'' a series of votes, but the Republican leadership refused to take a vote on stem cell research that would have saved lives in the area we are talking about. Health Week in the Senate will be known from now on as the ''Hoax Week.''

When the Senate majority leader refused to hold a vote, despite his past public support, the majority leader showed America his priorities, and I am afraid it has little to do with funding treatments for incurable diseases.

Mr. Speaker, if the majority leader is as committed to stem cell research as he says, then it is time for an up or down vote on this important research that will save many lives, and then the Senate will earn the title ''Health Week'' back again.

RENEWING THE AMERICAN DREAM: THE REAL RATIONAL MIDDLE GROUND ON IMMIGRATION REFORM

(Mr. PENCE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PENCE. Mr. Speaker, one week ago President Bush set out his views on immigration reform to the American people. He stated, ''There is a rational middle ground between granting an automatic path to citizenship for every illegal immigrant and a program of mass deportation.''

I agree with the President that there is a rational middle ground that can be found between amnesty and mass deportation, but amnesty is not that middle ground.

Today at the Heritage Foundation, here in Washington, DC, I will unveil the real rational middle ground on immigration reform. I call it the Border Integrity and Immigration Reform Act. It sees the solution to this crisis as a four-step process. First, secure the border. The second step is to make the decision once and for all to deny amnesty to people whose first act in the United States was a violation of the law. Third, is to put in place a guest worker program without amnesty that will efficiently provide American employers with willing guest workers who come into America legally. The final step is tough employer sanctions that ensure a full partnership between American business and the American government in the enforcement of our laws on immigration.

There is a real rational middle ground on immigration reform, and I hope and humbly submit the Border Integrity and Immigration Reform Act might just be it.

WAR WITH IRAN NOT INEVITABLE

(Mr. KUCINICH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KUCINICH. Mr. Speaker, war with Iran is not inevitable if the U.S. is ready to lead the way with honest, patient negotiations. However, this administration seems intent on war with Iran. The administration is ignoring any diplomatic initiatives which could set the stage for talks to end the confrontation and the escalation.

The administration is seeking to isolate Iran from the international community and threatens to punish nations which try to intervene to end the crisis. The administration is ratcheting up fears in Europe over a first strike nuclear capability, which Iran does not have.

Dozens of Members of Congress have now signed a letter to the President urging the United States to open up talks with Iran. Foreign policy experts such as Henry Kissinger, Zbigniew Brzezinski and Madeleine Albright are urging negotiations.

President Kennedy once said in his inaugural, ''We should not negotiate out of fear, but we should never fear to negotiate.'' We must make a new beginning and begin talks with Iran. War is not inevitable. Peace is inevitable, if we are ready to work for it.

DEMOCRAT PLAN TO ACHIEVE ENERGY INDEPENDENCE

(Mr. PAYNE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAYNE. Mr. Speaker, when I return to my home district, where the price of regular gas has topped $3 a gallon at many service stations, I hear constituents tell me loud and clear that they believe that the Republican majority in Congress has led this country in a drastically wrong direction.

Unfortunately, from the very beginning, the Bush administration has excluded the concerns of ordinary Americans from their energy policy debates. In fact, the secretive energy task force, headed by Vice President CHENEY, deliberated behind closed doors, and, as a result, billions of dollars in subsidies were provided to big oil interests.

Last fall, the Republican House rubber stamped an energy bill that even President Bush's own Energy Department predicted would raise gas prices. Almost 1 year later, the price of gas at the pump has skyrocketed. In fact, Americans are now paying an incredible 100 percent more for gas than they were when President Bush took office. Meanwhile, the incomes of middle income families have fallen every year.

Mr. Speaker, I ask that we turn out those who have given us this flawed policy.

REPUBLICAN DO-NOTHING CONGRESS REFUSES TO ADDRESS RISING GAS PRICES

(Mr. NADLER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. NADLER. Mr. Speaker, as of today, this House has been in session only 36 days this year. We are scheduled to meet a total of 93 days. That is 15 days less than the do-nothing Congress of 1948. How are we supposed to address the issues most important to all of our fellow countrymen if we are hardly ever in session?

This weekend, millions of Americans will take Memorial Day vacations. They will be forced to pay hundreds of dollars more in travel bills, thanks to high prices at the pump.

For weeks now, House Republicans have ignored this very serious economic issue. That is, until this week, when the House Republicans plan to offer their second solution. Their first solution a couple years ago was to throw billions of dollars at the oil companies. The second solution is drilling in the Arctic National Wildlife Refuge.

Despite the environment havoc this would cause, it will do nothing to lower gas prices today. When Republicans tout this as a solution, they ignore the fact that drilling in ANWR would not be possible for another decade and would provide only 6 months of oil, in any event, for the American consumer.

Once again this week, the House Republicans plan to do nothing to address high prices at the pump. They simply refuse to offer any real solutions to our energy problems. It is time for a change in leadership.

PROVIDING FOR CONSIDERATION OF H.R. 5384, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2007

Mr. HASTINGS of Washington. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 830 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 830

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 5384) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2007, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived except for sections 749, 751, and 752. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. When the committee rises and reports the bill back to the House with a recommendation that the bill do pass, the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Washington (Mr. HASTINGS) is recognized for 1 hour.

□ 1030

Mr. HASTINGS of Washington. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Mr. Speaker, House Resolution 830 is an open rule providing 1 hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations.

The rule waives all points of order against consideration of H.R. 5384, the Agriculture, Rural Development, Food and Drug Administration and Related Agencies Appropriation Act of 2007. Under the rules of the House, the bill shall be read for amendment by paragraph.

House Resolution 830 waives points of order provisions in the bill for failure to comply with clause 2 of rule XXI prohibiting unauthorized appropriations or legislative provisions in an appropriation bill, except as specified in the resolution.

The rule authorizes the Chair to accord priority in recognition to Members who have preprinted their amendments in the CONGRESSIONAL RECORD and provides one motion to recommit, with or without instructions.

Mr. Speaker, I am proud that yesterday the House Rules Committee reported by voice vote an open rule for consideration of H.R. 5384, the Agriculture, Rural Development, Food and Drug Administration and Related Agencies Appropriations Act, 2007.

As with most appropriation bills, the Rules Committee has once again afforded Members an opportunity to offer amendments to this legislation that comply with the rules of the House. Members of the House may bring forth an idea or change they wish to see and express their views on how our Nation should prioritize its spending.

Mr. Speaker, the Agriculture Appropriations Subcommittee reported out a bill that provides important resources for the U.S. Department of Agriculture and various other agencies. Specifically, H.R. 5384 makes available nearly $95 billion to fund agriculture, rural development, drug safety, food nutrition programs for the fiscal year 2007.

Mr. Speaker, this legislation provides the funding necessary for the programs and activities of USDA while at the same time maintaining fiscal discipline and reflecting our Nation's priority spending needs.

Mr. Speaker, the USDA carries out widely varied responsibilities through about 30 separate internal agencies and offices staffed by some 100,000 employees. Important programs covered under the agriculture spending bill include the food nutrition programs such as the Food Stamp Program, the Nutrition Program for Women, Infants and Children or WIC, and child nutrition programs, farm and foreign agricultural services, certain mandatory conservation and trade programs, crop insurance, farm loans, foreign food aid programs.

Additionally, it includes natural resources and environmental conservation programs and food safety and rural development activities. The underlying bill provides essential funding for agriculture research activities which include USDA's Agriculture Research Service as well as university research and extension programs.

I have visited, Mr. Speaker, several agricultural research centers in central Washington, and I am impressed by the innovative work being accomplished to equip farmers with the tools they need to improve the quality and production of their agricultural products.

Agriculture research enables American farmers to reap the benefits of science and technology they need to remain competitive in an ever-changing international marketplace. H.R. 5384 also provides several programs that seek to protect human health and safety.

Avian flu pandemic countermeasures and monitoring are funded at $80 million. The Food Safety and Inspection Service is funded at $853 million. The Animal Plant and Health Service Inspection Service activities are funded at $904 million, with $90 million going to BSE detection and prevention activities.

One program of importance to farmers in my area of central Washington is the Department of Agriculture's Market Access Program, which is aimed at creating, expanding and maintaining foreign markets for U.S. agriculture products through consumer promotions, market research and technical assistance.

One of the biggest challenges facing American agriculture, especially the specialty crops, is the need to expand overseas markets in the face of often subsidized foreign competition. By opening foreign markets to American

agricultural products and breaking down trade barriers, the Market Access Programs help local farmers and our Nation's economy, while improving our balance of trade and creating jobs.

I am pleased that the underlying bill fully funds the Market Access Program, which is particularly important for many of the specialty crops that I mentioned, including apples, cherries, hops, pears, potatoes and wine grapes.

With a proven track record of success, it is clear that this program's return on investment is far greater than the cost of the Market Access Program to the Federal Government.

Mr. Speaker, this is a fiscally responsible bill that will help American farmers and ranchers respond to the challenges of the global market and provide a wholesome food supply for our Nation. I urge my colleagues to join me in support of House Resolution 830, and the open rule provided by the Rules Committee by a voice vote.

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

Mr. MCGOVERN. Mr. Speaker, I want to thank the gentleman from Washington, my good friend, for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

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

Mr. MCGOVERN. Mr. Speaker, I want to commend Chairman BONILLA and Ranking Member DELAURO for working together on this important bill. They have taken the President's inadequate budget proposal and made it better.

Chairman BONILLA and his staff deserve to be congratulated for doing the right thing with this bill. And Ranking Member DELAURO and the Democratic members of the Appropriations Committee, including Ranking Member OBEY, deserve credit for improving the chairman's mark.

Mr. Speaker, I would like to take a moment to highlight some of the very important antihunger programs in this bill that make a real difference in the lives of millions of people here in the United States and around the world.

Mr. Speaker, I am privileged to be a cochair of the Congressional Hunger Center and of the Hunger Caucus. I have seen how important our anti-hunger programs are to low-income Americans. I have met families who, through no fault of their own, have to rely on Federal anti-hunger programs to put food on their table.

In my own district, I am working with State and local officials to make sure every eligible person in need signs up and receives these important benefits so that central Massachusetts and southeastern Massachusetts is made up of hunger-free communities.

On the Federal level, we must continue to fight for critical anti-hunger programs. In his budget, the President eliminated the Commodity Supplemental Food Program, which provides food to low-income mothers and children under 6 years of age, as well as America's elderly poor. Literally hundreds of thousands of people would have been left to fend for themselves if this program had been shut down, as the President had requested.

Thankfully, Chairman BONILLA and Ranking Member DELAURO not only restored the funding eliminated by President Bush, they also provided an increase of $11 million over last year's level. I believe my colleagues on both sides of the aisle are thankful that this bill includes a $40 million increase for the WIC Program over last year's allocation, or $44 million more than the President's request.

WIC is one of the most successful domestic maternal and infant health and nutrition programs in the history of the United States. I am troubled, however, that funding in this bill for the child nutrition programs is below the President's request and that funding for the food stamp program is almost $3 million less than last year, at a time when more and more and more people are falling below the poverty line.

Mr. Speaker, even though I believe the funding levels for anti-hunger programs should be increased even more than what this bill was able to provide, I am more concerned that the administration and Congress continue to lack a cohesive anti-hunger, antipoverty strategy.

Mr. Speaker, I know the Agriculture Appropriations Act is not the most appropriate bill to establish such a policy, but it is the vehicle that ultimately funds many of the important and most fundamental programs that help lift people out of poverty. I believe we can end hunger and poverty, if only we have the political will to do so.

I challenge my colleagues in this chamber to do more. And it will not necessarily cost a great deal more, but it will take far better coordination of public and private efforts. It will take a concerted effort by the Federal Government, and it will take the heart and compassion of a great Nation to eradicate poverty and hunger in the United States once and for all.

I believe in the heart of the American people. I think we saw that heart after Katrina. I think we see that heart every time there is a crisis abroad and children are in need.

Mr. Speaker, over the next year, I hope we all rise to the occasion and commit to this worthy and necessary goal. Overall, Mr. Speaker, I believe this bill should be commended for restoring funding for many of our most important domestic hunger and nutrition programs.

Regrettably, due once again to the extreme limits on the Agriculture Appropriations Bill, the same cannot be said of international hunger and good aid programs. The committee was able to maintain last year's funding levels, but so much more is needed.

The George McGovern-Bob Dole International Food for Education Program is basically frozen at last year's levels. This was done despite a bipartisan letter from over 100 Members of Congress asking that funding for the McGovern program be restored to its fiscal year 2001 level of $300 million.

This bill provides only one-third of that amount. McGovern-Dole has proven itself time and time again to be one of our most effective tools in reducing hunger in school-aged children, and increasing attendance and academic performance, especially among girls in some of the poorest places in the world.

I know that the committee supports this program. I just hope that the chairman and the ranking member will find a way in conference negotiations to increase the funding for this program so that it can reach more children in the neediest communities in the developing world.

Mr. Speaker, I also regret that P.L. 480, title II, food for peace, emergency food aid and development programs, have also basically been level-funded, although I do appreciate that the committee did find a few additional dollars for this program. In fiscal year 2006, Congress has ostensibly provided $1.218 billion for title II, and this bill provides $1.226 billion for title II.

Unfortunately, what is hidden by these figures is that, for the past 3 years, the Congress has ended up appropriating about $1.5 billion each year so that title II can meet global food emergencies. This year is no exception. In the fiscal year 2006 emergency supplemental, which is currently awaiting House-Senate conference negotiations, there is about $350 million in title II emergency food aid; $225 million of that emergency food aid is for the humanitarian crisis in Darfur.

If the President had put those funds in last year's regular budget request, and Congress had approved and appropriated those funds in the regular agriculture appropriations bill, then that food would be on its way to the people of Darfur today.

Instead, the World Food Programme has been forced to cut food rations in half for 2.6 million Darfur refugees and displaced people.

Why should we care about this? Well, Mr. Speaker, as a Congress, we should care because this is deceptive budgeting, and poor planning hinders our ability to respond to emergencies as they arise. But more importantly, much more importantly, we should care because people are dying from lack of food because we do not have the funding in hand that we knew ahead of time we would need for fiscal year 2006 and that we should plan now to have in hand for fiscal year 2007.

We know emergencies happen. We know we have been appropriating about $300 million or more each year for the past 3 years in supplemental appropriations bills to meet those needs. Let us do the right thing and build such funds into our planning process.

Put those funds in the regular budget and include and approve them in the regular agriculture appropriations bill. Let me be clear, Mr. Speaker. No country in the world has been as responsive

to international food emergencies as the United States.

No other country even comes close to our generosity. The United States has been and continues to be the leader in providing food and humanitarian aid for Darfur. It is past time that the rest of the world step up to the plate.

The funds sitting in the fiscal year 2006 supplemental will not reach the President's desk until June. And therefore the food aid itself will not reach the people of Darfur until November. If USAID had those moneys now up front, the ration cuts in Darfur would not be happening, period. I appeal to the President. I appeal to the appropriators and to the leadership of this House, do not repeat this mistake in 2007. We need to plan ahead.

Somehow, before this bill comes back to us as a conference report, we need to find a way to substantially increase Title II funding so that we are not robbing food aid from one hungry family to feed another simply because we failed to provide the necessary funding to plan for and to meet global food emergencies.

Mr. Speaker, I know the committee cannot do this on its own, which is why I make a plea for all of us to work this problem out, so that we are not faced with such desperate choices next year.

□ 1045

Mr. Speaker, Chairman BONILLA, Ranking Member DELAURO, and their colleagues on the committee should be commended for their hard work on this bill. They have done the best they could despite the difficult choices that face them in this process. They deserve our respect and gratitude.

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

Mr. HASTINGS of Washington. Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield 6 minutes to the distinguished gentleman from Wisconsin (Mr. OBEY), the ranking Democrat on the Appropriations Committee.

Mr. OBEY. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, I had originally intended to vote for this bill and for this rule; but the action of the Rules Committee on one item last night has changed all of that, at least for me, and I would like to alert Members of the House as to the reasons why.

In the farm bill that passed several years ago, the expiration date for various programs wound up not being identical; and that meant that the dairy program was hugely at a disadvantage after the expiration of the dairy title of the farm bill. Last year the Congress renewed the dairy section of the bill that related to the milk program, but it contained a budget gimmick which ended the dairy program one month before the end of the fiscal year and one month before the other farm programs in that bill.

As a result, when the next farm program is put together next year, dairy will be at a huge disadvantage because there will be nothing included in the budget baseline for dairy. That will not only be a problem for dairy farmers; that will be a problem for all other farmers, because if in the end the Congress decides under those circumstances to extend the milk program, the funding for that will come out of the hide of each and every other farm program, all because of this 1-month gimmick that we tried to correct in the Appropriations Committee.

Now, the Appropriations Committee adopted an amendment that I offered last week which attempted to correct that problem by simply extending the milk program by 1 month so that it would expire at the same time as the other programs in the farm bill. But now our friends on the authorizing committee have insisted that the Rules Committee not protect that provision from being stricken on a point of order. As a result, if such a motion is made and upheld by the Chair, it will mean that we are going to create the conditions for a billion dollar war between farm groups all over this country. That could easily be avoided by the $40 million provision represented by section 752 of the appropriations bill that will shortly be before us.

That $40 million correction is fully paid for so that at this point there is no budget problem associated with 752. So I would simply want to alert every Member of this House who represents dairy farmers that they will be at a substantial disadvantage in considering the farm bill a year and a half from now if this section 752 of this bill is stricken.

And I want to alert Members who represent other kinds of farmers that lest they think this is only a problem only affecting dairy farmers, I'm sorry, it will affect all farmers because financing for whatever dairy program that eventually emerges from that authorization bill will come out of reductions for other farm programs.

Now, this may not be a big problem for persons who have thousand-cow dairy herds, but it is a huge problem if you represent a district like mine where the average herd is 50 or 60 cows. The extension to the milk program will determine whether or not many of those farmers stay in business. And I would submit that the House would be doing itself a great favor if they could prevail upon our friends on the authorizing committee not to lodge a point of order against this provision in this bill.

There is another provision in this bill which affects an extension of the peanut program for storage. It seems to me that there are good reasons for extending both of those programs. So I would urge any Member of this House who is concerned about being able to pass a decent farm bill down the line to recognize that if this action takes place today, if this action takes place today, anyone who votes for the farm bill, if this is stricken today, anyone who votes for this agriculture appropriations bill will be voting to put dairy farmers at a huge disadvantage a year and a half from now when the reauthorization is considered and they will be inviting a very nasty war between different commodity groups and different regions of the country.

That is what the milk program sought to end 3 years ago when we wanted to end all of these regional fights on dairy, and I would suggest that the House would be ill advised if it produces that result by allowing this provision to be knocked out on a point of order.

So I will be calling for a roll call on the rule to protest the action of the Rules Committee, and I will urge Members from farm country to vote ''no'' on the rule and ''no'' on the bill if that provision is stricken.

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I appreciate the remarks of the distinguished ranking member of the Appropriations Committee, but we have a long-standing tradition in the Rules Committee that when the authorizing committee has a problem with amendments or policies that are put on the Appropriations Committee that they feel is under their jurisdiction, they ask that that not be protected. That was the case here as you pointed out in your remarks with the peanut program and the milk program.

So as you suggested, if somebody from the Agriculture Committee or the chairman stands up and asks for a point of order then, of course, the Chair will have to make his ruling by what the rules are.

I will also say this, and I know that the gentleman from Wisconsin has been working just because of the nature of his committee on a lot of milk programs, I too have a lot of dairies in my district. There has been a gravitation towards those dairies in my district. When I talk to my dairy farmers, I have essentially one message for them and that message is at some point, and I know this is a very difficult thing to do, but at some point the dairy industry in this country has got to try to speak with one voice as much as they possibly can. I know that is very, very difficult. They are cognizant of that.

When this provision was put in place several years ago, there was an attempt to do that. So we will have to see. But the Rules Committee has a tradition and that is the reason why we did not protect that portion of the bill.

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

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would like to take just a moment to thank Chairman BONILLA and Ranking Member DELAURO and members of the committee for providing funding for the Congressional Hunger Center. The Hunger Center is co-chaired by my colleague Congressman JO ANN EMERSON

and myself, and it trains young people to be the future leaders of the anti-hunger movement. The Congressional Hunger Center, I think, is known to most Members of this Chamber. It has an incredible staff, an excellent staff, and does a very good job in raising awareness and getting young people involved and getting them to feel passionate about combating hunger, not only here in the United States but around the world. I think every Member of this Chamber should be proud of this center's work. So I am pleased that the committee continues to fund this center.

Mr. Speaker, I yield 3 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, I appreciate the gentleman's courtesy in permitting me to speak on this rule.

I am pleased that under the rule we will be able later in the deliberations to have a debate, a discussion, on a modest amendment to the sugar subsidy program. This is something that unfortunately flies under the radar screen here in Washington, DC. Any approach to look at independent analysts, to look at conservative groups like the Cato Institute, to look at environmental organizations, all document that the sugar subsidy program we have provides tremendous cost to the taxpayers, billions of dollars.

It starts by forcing American consumers and the industries that use sugar to pay two to three times the world market price. It puts at risk over 500,000 jobs that are still in the United States in the confectionery industry. We used to have more people at work in Hershey, Pennsylvania, in the Northeast, in Chicago making candy; but these jobs are being driven to Canada, to Mexico and other places because our price of the raw material, sugar, is so much more expensive.

We find that the sugar cane industry particularly is a cause of significant pollution in the everglades. This Congress has placed a $7.5 billion down payment cleaning up the everglades in part because of the significant expansion of cane sugar production because it is so heavily subsidized and produces a toxic run off of pollution.

It even drives up cost to the Federal Government in other areas you do not think about; $90 million that the Federal Government pays for food, for example, for U.S. troops, with added cost because of these subsidies.

This sugar subsidy continues at a time when we are cutting programs for other farmers for their environmental programs at a time when there is no help for many farmers, in my State that are short-changed row crops, the speciality crops, the nursery industry, and wine producers. We have an out-of-whack, hopelessly expensive, outmoded and anti-competitive trade subsidy program that will leave the taxpayer footing the bill for years to come.

We will have an amendment offered later today that will provide for a modest adjustment, downward, so the taxpayer will not be on the hook for quite so much and we can reduce the pressure on American industry that uses sugar and American consumers who will be paying over a billion dollars a year.

Mr. HASTINGS of Washington. Mr. Speaker, I yield 3 minutes to the gentleman from Tennessee (Mr. DUNCAN).

Mr. DUNCAN. Mr. Speaker, I thank the gentleman for yielding. I speak at this time in regard to an amendment which I understand will be offered later concerning the National Animal Identification System.

Two Tennessee legislators who also happen to represent parts of my district, State Representative Frank Niceley and my own State Senator Tim Burchett, have introduced a bill to prohibit the use of State funds to implement the program in Tennessee. As Representative Niceley told the Knoxville News Sentinel: ''I think this thing had more to do with selling chips than anything else.'' He said, ''I just get tired of business going to Washington and selling their business plan up there and getting rich off the public.''

The people pushing this are international and national bureaucrats who want more power and control, their academic supporters, and especially a few agri-giant businesses. Small and medium-sized farmers do not want it.

Ron Freeman, a fifth-generation cattleman said, ''NAIS will not prevent or control disease. Instead it will allow the government and big business to control our food supply and intrude into the lives of every farmer and rancher.''

Judith McGeary, a Texas lawyer, described the program as, ''One of the most far-reaching acts of surveillance of the most wholesome activities of U.S. citizens. Children in 4–H with pet goats, senior citizens raising food for themselves, friends going on trail rides would all be forced to endure the warrantless government surveillance.''

If this isn't Big Brother government I do not know what is.

Mr. Speaker, this sure isn't traditional conservatism. Costs of new programs such as this are always lowballed on the front end. The president of the Australian Cattleman's Association called this program ''the single worst thing to ever hit the beef industry in Australia.''

□ 1100

He said they were promised on the front end that it would cost only $3 a head. The costs are already running $37 a head counting cost of scanners and various indirect costs.

A farmer in Roane County, Tennessee, Everett Phillips has only eight beef cattle, a milk cow, some chickens and a few barnyard animals. He told the Knoxville News-Sentinel, if you add up cost, the inconvenience of Federal bureaucracy and privacy concerns, and ''It is going to hurt the farmer.'' He said he considers selling out and moving to Argentina. I know that people laugh when people make statements like this, but this highlights the serious concern that small farmers have about this program.

If this is still a free country, Mr. Speaker, we should at least make this program voluntarily instead of mandatory. This NAIS program will really hurt the smallest of our farmers, the very farmers we always claim to be helping.

I urge support if this amendment is offered later today to really help the small farmer.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

I am sure there will be a number of amendments offered during the day. I just want to call my colleagues' attention to one amendment that may be offered by Representative JOHNSON of Illinois that I strongly oppose, and I would urge all my colleagues to oppose it as well.

This is an amendment that is supposedly an attempt to tackle the obesity problem in this country, but what it is, is an amendment that would restrict the choice of people who are on food stamps. It would basically dictate to people on food stamps that they could not buy certain things, and this is problematic, I think, for a number of reasons.

First, I think the emphasis should be on promoting healthier foods in our nutrition and not on constant punitive measures against poor people. If we want to deal with the obesity problem in this country, which is a serious problem, we should do so thoughtfully, and we should do so with considerable deliberation to make sure that what we are doing is actually solving and tackling the problem. I do not think this will do that.

Secondly, this bill I do not think is the appropriate bill for us to make these kinds of big changes. There are other bills that are more appropriate coming down the line, and I hope that my colleagues will respect that. But, again, rather than limiting choices for poor people, we should focus our attention and put the emphasis on healthier foods, like fruits and vegetables, without limiting people's choices. We should focus on nutrition education, and we should focus on raising people out of poverty instead of constantly blaming them and trying to pursue punitive measures, which I think is not only the wrong way to deal with the problem but I also think shows kind of a lack of respect for people who are struggling in this country.

Mr. Speaker, I yield 5 minutes to the distinguished gentlewoman from Connecticut (Ms. DELAURO), the ranking member on this committee.

Ms. DELAURO. Mr. Speaker, it has been a privilege to serve on this subcommittee and to work on issues of such importance, such as rural development, nutrition, drug safety and so many others, and I have enjoyed working with Chairman BONILLA in my time as ranking member.

We have produced a good bill I think, but I am disappointed that this rule does not allow for consideration of an amendment I planned to offer that would have increased funding for rural development and renewable energy programs by $500 million. Nor does this rule protect language giving the FDA, the Food and Drug Administration, the much-needed authority to mandate post-market drug studies when needed.

In offering this amendment, I believe we could have begun to meet a variety of rural development needs, from waste and water grants and community facility grants to funding for broadband expansion and renewable energy infrastructure.

In particular, we could have made a strong commitment to renewable energy by providing meaningful incentives for renewable energy production, consumption and infrastructure through programs in the farm bill and in the energy bill, the Bioenergy Program, the Value-Added Agricultural Product Market Development Grants, the Renewable Energy Systems and Energy Efficiency Improvements Programs, just to name a few.

But even though we have an extraordinary opportunity to reenergize our farm economy at the same time we jump start the country's energy independence efforts by getting these new technologies out of the labs, onto our roads and into our homes and businesses, our investment in these programs continues to be tentative.

Mr. Speaker, with Americans ready to declare their energy independence, with biofuels on the cusp of revolutionizing the American economy in the very near future, just as they did for Brazil in only a few years' time, we can make a statement that the Congress is ready to face this challenge. We should be tapping the promise that our farms hold to reduce our dependence on oil and provide a more secure economic future for our farmers.

I am also disappointed that the Rules Committee failed to protect language approved by the Appropriations Committee to give the Food and Drug Administration, the FDA, the much-needed authority to mandate post-market drug studies when needed and allow the FDA to begin the process of removing the drugs in question from the market if there are instances of noncompliance.

The amendment is simple. It would require anyone who has the approval of the FDA to sell a drug to conduct any study or studies on any significant safety issue on that product that the FDA requests.

This language addresses one of the key issues identified in the recent GAO study on post-market studies which concluded that, ''the FDA lacks clear and effective processes for making decisions about and providing management oversight of post-market safety issues.'' The FDA needs this authority to ensure that we are not putting lives at risk with unsafe drugs that are not fully tested.

Let me quote to you what the GAO study said: To improve the decision-making process for post-market drug safety, the Congress should consider expanding FDA's authority to require drug sponsors to conduct post-market studies, such as clinical trials and observation studies, as needed and to collect additional data on the drug safety concerns.

This is an issue that could not have come up at a more appropriate time. Just yesterday, the New York Times reported that the data analysis that was completed on Vioxx was done in a way that actually minimized the risks of the drug. That tells us that even when post-market studies are conducted, they cannot be counted on to be completely reliable. The language stripped by this rule would have constituted one small step toward implementing a better post-market system at the FDA and to stop putting at risk the lives of the American public and make sure that the drugs are safe and that they are fully tested and that, when we have adverse reactions to these drugs, that there is a way in which the government can, in fact, make sure that these companies do what is required to ensure public health.

So, Mr. Speaker, while I do believe we have produced a good bill, these are two areas in which I am very disappointed because I think we had an opportunity to produce an even better bill.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

I will be calling for a ''no'' vote on the previous question. If the previous question is defeated, I will amend the rule so that we can consider the DeLauro amendment that was rejected in Rules Committee last night on a straight party-line vote.

Mr. Speaker, I ask unanimous consent to insert in the text of the amendment and extraneous materials immediately prior to the vote.

The SPEAKER pro tempore (Mr. BASS). Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MCGOVERN. Mr. Speaker, the DeLauro amendment will increase funding for alternative energy research, something that is desperately needed in our Nation these days. The cost of the amendment is fully offset by rolling back a mere 1.21 percent, the tax cut for Americans making more than $1 million annually.

Mr. Speaker, the energy crisis continues to get worse and worse in our country every day. All you need to do is fill up your gas tank or open your heating bill to know that the cost of fuel is skyrocketing, with no signs of letting up anytime soon, if ever.

We can continue to ignore this crisis until the costs are prohibited or our supplies run dry, or we can do the responsible thing and invest in research and development of alternative energy sources, something that we should have been doing a long time ago.

Our energy needs are growing every day in this Nation and in the rest of the world as well. We have to find other ways to meet those needs. We need a substitute for oil and other fossil fuels. There are many promising alternative energy sources out there that we need to explore immediately to ensure that they are available in the near future. The DeLauro amendment will help support these efforts.

Mr. Speaker, in the Rules Committee last night, we were told, as we are told often, that there is a germaneness issue and that thereby they would not make this amendment in order, but the fact of the matter is that those of us on this side of the aisle are trying to actually solve America's problems. We are trying to propose alternatives and pay for them as we go. We are not just proposing ideas and not identifying where the money would come from. We are actually laying out a plan to make this country energy independent, to try to deal with the rising costs of gas and of oil, and this is the only way we can do this. We are constantly denied the opportunity to debate and to vote on a comprehensive plan or to deal with this issue. This is the moment.

I want to point out to my colleagues that a ''no'' vote will not prevent us from considering the agricultural appropriations bill under an open rule, but a ''no'' vote will allow Members to vote on the DeLauro amendment. A ''no'' vote will allow us to be able to support an initiative and a plan to deal with this energy crisis, to actually map out a strategy to support renewable energy sources.

I urge my colleagues to vote ''no'' on the previous question.

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

Mr. HASTINGS of Washington. Mr. Speaker, I am going to urge my colleagues to vote for the previous question and for the resolution. I want to make two points.

The gentleman says that one reason to vote against the previous question is to have a chance to have a say on the DeLauro amendment. I would advise my colleagues that the DeLauro amendment was offered in the full committee, notwithstanding the fact that it is legislating on an appropriations bill, and even the members of the Appropriations Committee rejected the DeLauro amendment.

As I mentioned earlier in my remarks, there is a long-standing tradition that when an authorizing committee has an objection to a provision in an appropriations bill, that provision is not waived.

With that, Mr. Speaker, this is a good rule. It allows for open debate. It is an open rule.

The material previously referred to by Mr. MCGOVERN is as follows:

PREVIOUS QUESTION FOR H. RES. 830—RULE FOR H.R. 5384, THE AGRICULTURE, RURAL DEVELOPMENT, FOOD & DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS FOR FY 2007

At the end of the resolution, add the following new sections:

SEC. 2. Notwithstanding any other provision of this resolution, the amendment printed in section 3 shall be in order without intervention of any point of order and before any other amendment if offered by Representative DeLauro of Connecticut or a designee. The amendment is not subject to amendment except for pro forma amendments or to a demand for a division of the question in the committee of the whole or in the House.

SEC. 3. The amendment referred to in section 2 is as follows:

AMENDMENT TO H.R. 5384, AS REPORTED

OFFERED BY MS. DELAURO OF CONNECTICUT

Page 13, line 6, insert after the dollar amount the following: ''(increased by $25,000,000)''.

Page 36, line 21, insert after the dollar amount the following: ''(increased by $229,303,000)''.

Page 48, line 26, insert after the dollar amount the following: ''(increased by $12,000,000)''.

Page 50, line 6, insert after the dollar amount the following: ''(increased by $23,000,000)''.

Page 51, line 23, insert after the dollar amount the following: ''(increased by $10,000,000)''.

Page 52, line 7, insert after the dollar amount the following: ''(increased by $6,697,000)''.

At the end of the bill (before the short title), add the following new sections:

''SEC. ____. In addition to amounts otherwise provided by this Act, there is hereby appropriated to the Secretary the following amounts for the following purposes:

''(1) For biorefinery grants authorized by section 9003 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8103), $50,000,000.

''(2) For grants under the energy audit and renewable energy development program authorized by section 9005 of such Act (7 U.S.C. 8105), $10,000,000.

''(3) For payments under the bioenergy program authorized by section 9010 of such Act (7 U.S.C. 8108), and notwithstanding subsection (c)(2) of such section, $120,000,000.

''(4) For grants under the Biomass Research and Development Initiative authorized by section 307 of the Biomass Research and Development Act of 2000 (7 U.S.C. 7624), $14,000,000.

''SEC. ____. In the case of taxpayers with income in excess of $1,000,000, for the calendar year beginning in 2007, the amount of tax reduction resulting from enactment of Public Law 107–16, Public Law 108–27, and Public Law 108–311 shall be reduced by 1.21 percent.''.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives, (VI, 308–311) describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R–Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

Because the vote today may look bad for the Republican majority they will say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.''

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda to offer an alternative plan.

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

The SPEAKER pro tempore. The question is on ordering the previous question.

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

Mr. MCGOVERN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

APPOINTMENT OF CONFEREES ON H.R. 4939, EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR DEFENSE, THE GLOBAL WAR ON TERROR, AND HURRICANE RECOVERY, 2006

Mr. LEWIS of California. Mr. Speaker, pursuant to clause 1 of rule XXII and by direction of the Committee on Appropriations, I move to take from the Speaker's table the bill (H.R. 4939) making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes, with the Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The motion was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees:

Messrs. LEWIS of California, YOUNG of Florida, REGULA, ROGERS of Kentucky, WOLF, KOLBE, WALSH, TAYLOR of North Carolina, HOBSON, BONILLA, KNOLLENBERG, OBEY, MURTHA, SABO, MOLLOHAN, OLVER, VISCLOSKY, Mrs. LOWEY, and Mr. EDWARDS.

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Ordering the previous question on H. Res. 830, by the yeas and nays;

Adoption of H. Res. 830, if ordered;

Motion to suspend the rules on H.R. 4681, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

PROVIDING FOR CONSIDERATION OF H.R. 5384, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2007

The SPEAKER pro tempore. The pending business is the vote on ordering the previous question on House Resolution 830 on which the yeas and nays are ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The vote was taken by electronic device, and there were—yeas 213, nays 194, not voting 25, as follows:

[Roll No. 179]

YEAS—213

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot

Chocola
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hyde
Inglis (SC)
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCaul (TX)
McCotter
McHenry
McKeon
McMorris
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Otter
Oxley
Paul
Pearce
Pence
Petri
Pitts
Platts
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schmidt
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wilson (NM)
Wilson (SC)
Wolf
Young (FL)

NAYS—194

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Gonzalez
Gordon
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Herseth
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Lee
Levin
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McHugh
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Woolsey
Wu
Wynn

NOT VOTING—25

Brown, Corrine
Camp (MI)
Davis (FL)
Doolittle
Evans
Ford
Gibbons
Higgins
Hunter
Issa
Istook
Jenkins
Kennedy (RI)
Larson (CT)
Lewis (GA)
McCrery
Peterson (PA)
Pickering
Poe
Pombo
Rehberg
Snyder
Wexler
Wicker
Young (AK)

□ 1140

Ms. WATSON, Mr. MILLER of North Carolina and Mr. COSTA changed their vote from ''yea'' to ''nay.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

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

RECORDED VOTE

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

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 214, noes 192, answered ''present'' 1, not voting 25, as follows:

[Roll No. 180]

AYES—214

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hyde
Inglis (SC)
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCaul (TX)
McCotter
McHenry
McKeon
McMorris
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Otter
Oxley
Paul
Pearce
Pence
Petri
Pitts
Platts
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schmidt
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOES—192

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Gonzalez
Gordon
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Herseth
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Lee
Levin
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar

Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Solis
Spratt
Stark
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Woolsey
Wu
Wynn

ANSWERED ''PRESENT''—1

McHugh

NOT VOTING—25

Brown, Corrine
Camp (MI)
Davis (FL)
Doolittle
Evans
Ford
Gibbons
Higgins
Hunter
Issa
Istook
Jenkins
Kennedy (RI)
Larson (CT)
Lewis (GA)
McCrery
Peterson (PA)
Pickering
Poe
Pombo
Rehberg
Snyder
Strickland
Wexler
Wicker

□ 1149

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PALESTINIAN ANTI-TERRORISM ACT OF 2006

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and passing the bill, H.R. 4681, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and pass the bill, H.R. 4681, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 361, nays 37, answered ''present'' 9, not voting 25, as follows:

[Roll No. 181]

YEAS—361

Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Campbell (CA)
Cannon
Cantor
Capito
Cardin
Cardoza
Carnahan
Carter
Case
Castle
Chabot
Chandler
Chocola
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Etheridge
Everett
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hyde
Inglis (SC)
Inslee
Israel
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (OH)
Kanjorski
Keller
Kelly
Kennedy (MN)
Kildee
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kuhl (NY)
Langevin
Lantos
Larsen (WA)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Matheson
Matsui
McCarthy
McCaul (TX)
McCotter
McHenry
McHugh
McIntyre
McKeon
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Mollohan
Moore (KS)
Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Nadler
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Olver
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Pearce
Pelosi
Pence
Peterson (MN)
Petri
Pitts
Platts
Pomeroy
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Rangel
Regula
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Sodrel
Solis
Souder
Spratt
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—37

Abercrombie
Becerra
Blumenauer
Capps
Capuano
Conyers
DeFazio
Dingell
Doggett
Eshoo
Farr
Gilchrest
Grijalva
Hinchey
Jones (NC)
Kaptur
Kilpatrick (MI)
Kolbe
Kucinich
LaHood
Lee
Marshall
McCollum (MN)
McDermott
McGovern
McKinney
Miller, George
Moore (WI)
Moran (VA)
Obey
Paul
Price (NC)
Rahall
Stark
Thornberry
Velázquez
Watt

ANSWERED ''PRESENT''—9

Carson
Clay
Davis (IL)
Gutierrez
Jackson (IL)
Johnson, E. B.
Payne
Rush
Watson

NOT VOTING—25

Brown, Corrine
Camp (MI)
Davis (FL)
Doolittle
Evans
Ford
Gibbons
Higgins
Hunter
Issa
Istook
Jenkins
Kennedy (RI)
Larson (CT)
Lewis (GA)
McCrery
Napolitano
Peterson (PA)
Pickering
Poe
Pombo
Rehberg
Ruppersberger
Snyder
Wicker

□ 1157

Mr. PAYNE changed his vote from ''nay'' to ''present.''

So (two-thirds of those voting having responded in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. RUPPERSBERGER. Mr. Speaker, on rollcall No. 181 I was unavoidably detained in a meeting with some of my constituents. Had I been present, I would have voted "yea."

PERSONAL EXPLANATION

Mr. HIGGINS. Mr. Speaker, I missed three rollcall votes this morning, Tuesday, May 23, 2006.

On roll No. 179 regarding the Previous Question for the Agricultural, Rural Development, FDA and related agencies Appropriations Act, I would have voted "no."

On roll No. 180 regarding the Rule for the consideration of H.R. 5384—Agricultural, Rural Development, FDA and related agencies Appropriations Act (Rules), I would have voted "no."

On roll No. 181 regarding H.R. 4681—Palestinian Anti-Terrorism Act of 2006, I would have voted "yea."

PERSONAL EXPLANATION

Mr. POMBO. Mr. Speaker, I was unable to vote today on the House floor. I take my responsibility to vote very seriously.

Had I been present, I would have voted "yea" on rollcall 179; "yea" on rollcall 180, or H. Res. 380, the Rule for consideration of H.R. 5384, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2007; and "yea" on rollcall 181, or H.R. 4681, the Palestinian Anti-Terrorism Act. On March 9, 2006 I joined 295 of my colleagues in the House in support of H.R. 4681.

LEGISLATIVE TRANSPARENCY AND ACCOUNTABILITY ACT OF 2006

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 2349) to provide greater

transparency in the legislative process, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 2349

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Table of contents.

TITLE I—LEGISLATIVE TRANSPARENCY AND ACCOUNTABILITY ACT OF 2006

Sec. 101. Short title.
Sec. 102. Out of scope matters in conference reports.
Sec. 103. Earmarks.
Sec. 104. Availability of conference reports on the Internet.
Sec. 105. Elimination of floor privileges for former members, Senate officers, and Speakers of the House who are lobbyists or seek financial gain.
Sec. 106. Ban on gifts from lobbyists.
Sec. 107. Travel restrictions and disclosure.
Sec. 108. Post employment restrictions.
Sec. 109. Public disclosure by Members of Congress of employment negotiations.
Sec. 110. Prohibit official contact with spouse or immediate family member of Member who is a registered lobbyist.
Sec. 111. Influencing hiring decisions.
Sec. 112. Sense of the Senate that any applicable restrictions on Congressional branch employees should apply to the Executive and Judicial branches.
Sec. 113. Amounts of COLA adjustments not paid to certain Members of Congress.
Sec. 114. Requirement of notice of intent to proceed.
Sec. 115. Effective date.

TITLE II—LOBBYING TRANSPARENCY AND ACCOUNTABILITY ACT OF 2006

Sec. 201. Short title.

Subtitle A—Enhancing Lobbying Disclosure

Sec. 211. Quarterly filing of lobbying disclosure reports.
Sec. 212. Annual report on contributions.
Sec. 213. Public database of lobbying disclosure information.
Sec. 214. Disclosure by registered lobbyists of all past executive and congressional employment.
Sec. 215. Disclosure of lobbyist travel and payments.
Sec. 216. Increased penalty for failure to comply with lobbying disclosure requirements.
Sec. 217. Disclosure of lobbying activities by certain coalitions and associations.
Sec. 218. Disclosure of enforcement for noncompliance.
Sec. 219. Electronic filing of lobbying disclosure reports.
Sec. 220. Disclosure of paid efforts to stimulate grassroots lobbying.
Sec. 221. Electronic filing and public database for lobbyists for foreign governments.
Sec. 222. Effective date.

Subtitle B—Oversight of Ethics and Lobbying

Sec. 231. Comptroller General audit and annual report.
Sec. 232. Mandatory Senate ethics training for Members and staff.
Sec. 233. Sense of the Senate regarding self-regulation within the lobbying community.
Sec. 234. Annual ethics committees reports.

Subtitle C—Slowing the Revolving Door

Sec. 241. Amendments to restrictions on former officers, employees, and elected officials of the executive and legislative branches.

Subtitle D—Ban on Provision of Gifts or Travel by Lobbyists in Violation of the Rules of Congress

Sec. 251. Prohibition on provision of gifts or travel by registered lobbyists to Members of Congress and to congressional employees.

Subtitle E—Commission to Strengthen Confidence in Congress Act of 2006

Sec. 261. Short title.
Sec. 262. Establishment of Commission.
Sec. 263. Purposes.
Sec. 264. Composition of Commission.
Sec. 265. Functions of Commission.
Sec. 266. Powers of Commission.
Sec. 267. Administration.
Sec. 268. Security clearances for Commission Members and staff.
Sec. 269. Commission reports; termination.
Sec. 270. Funding.

TITLE I—LEGISLATIVE TRANSPARENCY AND ACCOUNTABILITY ACT OF 2006

SEC. 101. SHORT TITLE.

This title may be cited as the ''Legislative Transparency and Accountability Act of 2006''.

SEC. 102. OUT OF SCOPE MATTERS IN CONFERENCE REPORTS.

(a) IN GENERAL.—A point of order may be made by any Senator against consideration of a conference report that includes any matter not committed to the conferees by either House. The point of order shall be made and voted on separately for each item in violation of this section.

(b) DISPOSITION.—If the point of order against a conference report under subsection (a) is sustained, then—

(1) the matter in such conference report shall be deemed to have been struck;

(2) when all other points of order under this section have been disposed of—

(A) the Senate shall proceed to consider the question of whether the Senate should recede from its amendment to the House bill, or its disagreement to the amendment of the House, and concur with a further amendment, which further amendment shall consist of only that portion of the conference report not deemed to have been struck;

(B) the question shall be debatable; and

(C) no further amendment shall be in order; and

(3) if the Senate agrees to the amendment, then the bill and the Senate amendment thereto shall be returned to the House for its concurrence in the amendment of the Senate.

(c) SUPERMAJORITY WAIVER AND APPEAL.—This section may be waived or suspended in the Senate only by an affirmative vote of ⅗ of the Members, duly chosen and sworn. An affirmative vote of ⅗ of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

SEC. 103. EARMARKS.

The Standing Rules of the Senate are amended by adding at the end the following:

''RULE XLIV

''EARMARKS

''1. In this rule—

''(1) the term 'earmark' means a provision that specifies the identity of a non-Federal entity to receive assistance and the amount of the assistance; and

''(2) the term 'assistance' means budget authority, contract authority, loan authority, and other expenditures, and tax expenditures or other revenue items.

''2. It shall not be in order to consider any Senate bill or Senate amendment or conference report on any bill, including an appropriations bill, a revenue bill, and an authorizing bill, unless a list of—

''(1) all earmarks in such measure;

''(2) an identification of the Member or Members who proposed the earmark; and

''(3) an explanation of the essential governmental purpose for the earmark;

is available along with any joint statement of managers associated with the measure to all Members and made available on the Internet to the general public for at least 48 hours before its consideration.''.

SEC. 104. AVAILABILITY OF CONFERENCE REPORTS ON THE INTERNET.

(a) IN GENERAL.—

(1) AMENDMENT.—Rule XXVIII of all the Standing Rules of the Senate is amended by adding at the end the following:

''7. It shall not be in order to consider a conference report unless such report is available to all Members and made available to the general public by means of the Internet for at least 48 hours before its consideration.''.

(2) EFFECTIVE DATE.—This subsection shall take effect 60 days after the date of enactment of this title.

(b) IMPLEMENTATION.—Not later than 60 days after the date of enactment of this title, the Secretary of the Senate, in consultation with the Clerk of the House of Representatives, the Government Printing Office, and the Committee on Rules and Administration, shall develop a website capable of complying with the requirements of paragraph 7 of rule XXVIII of the Standing Rules of the Senate, as added by subsection (a).

SEC. 105. ELIMINATION OF FLOOR PRIVILEGES FOR FORMER MEMBERS, SENATE OFFICERS, AND SPEAKERS OF THE HOUSE WHO ARE LOBBYISTS OR SEEK FINANCIAL GAIN.

Rule XXIII of the Standing Rules of the Senate is amended by—

(1) inserting ''1.'' before ''Other'';

(2) inserting after ''Ex-Senators and Senators elect'' the following: '', except as provided in paragraph 2'';

(3) inserting after ''Ex-Secretaries and ex-Sergeants at Arms of the Senate'' the following: '', except as provided in paragraph 2'';

(4) inserting after ''Ex-Speakers of the House of Representatives'' the following: '', except as provided in paragraph 2''; and

(5) adding at the end the following:

''2. (a) The floor privilege provided in paragraph 1 shall not apply to an individual covered by this paragraph who is—

''(1) a registered lobbyist or agent of a foreign principal; or

''(2) is in the employ of or represents any party or organization for the purpose of influencing, directly, or indirectly, the passage, defeat, or amendment of any legislative proposal.

''(b) The Committee on Rules and Administration may promulgate regulations to allow individuals covered by this paragraph floor privileges for ceremonial functions and events designated by the Majority Leader and the Minority Leader.''.

SEC. 106. BAN ON GIFTS FROM LOBBYISTS.

Paragraph 1(a)(2) of rule XXXV of the Standing Rules of the Senate is amended by—

(1) inserting ''(A)'' after ''(2)''; and

(2) adding at the end the following:

''(B) This clause shall not apply to a gift from a registered lobbyist or an agent of a foreign principal.''.

SEC. 107. TRAVEL RESTRICTIONS AND DISCLOSURE.

(a) IN GENERAL.—Paragraph 2 of rule XXXV of the Standing Rules of the Senate is amended by adding at the end the following:

''(f)(1) Before a Member, officer, or employee may accept transportation or lodging otherwise permissible under this paragraph from any person, other than a governmental entity, such Member, officer, or employee shall—

''(A) obtain a written certification from such person (and provide a copy of such certification to the Select Committee on Ethics) that—

''(i) the trip was not financed in whole, or in part, by a registered lobbyist or foreign agent;

''(ii) the person did not accept, directly or indirectly, funds from a registered lobbyist or foreign agent specifically earmarked for the purpose of financing the travel expenses;

''(iii) the trip was not planned, organized, or arranged by or at the request of a registered lobbyist or foreign agent; and

''(iv) registered lobbyists will not participate in or attend the trip;

''(B) provide the Select Committee on Ethics (in the case of an employee, from the supervising Member or officer), in writing—

''(i) a detailed itinerary of the trip; and

''(ii) a determination that the trip—

''(I) is primarily educational (either for the invited person or for the organization sponsoring the trip);

''(II) is consistent with the official duties of the Member, officer, or employee;

''(III) does not create an appearance of use of public office for private gain; and

''(iii) has a minimal or no recreational component; and

''(C) obtain written approval of the trip from the Select Committee on Ethics.

''(2) Not later than 30 days after completion of travel, approved under this subparagraph, the Member, officer, or employee shall file with the Select Committee on Ethics and the Secretary of the Senate a description of meetings and events attended during such travel and the names of any registered lobbyist who accompanied the Member, officer, or employee during the travel, except when disclosure of such information is deemed by the Member or supervisor under whose direct supervision the employee is employed to jeopardize the safety of an individual or adversely affect national security. Such information shall also be posted on the Member's official website not later than 30 days after the completion of the travel, except when disclosure of such information is deemed by the Member to jeopardize the safety of an individual or adversely affect national security.''.

(b) DISCLOSURE OF NONCOMMERCIAL AIR TRAVEL.—

(1) RULES.—Paragraph 2 of rule XXXV of the Standing Rules of the Senate, as amended by subsection (a), is amended by adding at the end the following:

''(g) A Member, officer, or employee of the Senate shall—

''(1) disclose a flight on an aircraft that is not licensed by the Federal Aviation Administration to operate for compensation or hire, excluding a flight on an aircraft owned, operated, or leased by a governmental entity, taken in connection with the duties of the Member, officer, or employee as an officeholder or Senate officer or employee; and

''(2) with respect to the flight, file a report with the Secretary of the Senate, including the date, destination, and owner or lessee of the aircraft, the purpose of the trip, and the persons on the trip, except for any person flying the aircraft.''.

(2) FECA.—Section 304(b) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(b)) is amended—

(A) by striking ''and'' at the end of paragraph (7);

(B) by striking the period at the end of paragraph (8) and inserting ''; and''; and

(C) by adding at the end the following:

''(9) in the case of a principal campaign committee of a candidate (other than a candidate for election to the office of President or Vice President), any flight taken by the candidate (other than a flight designated to transport the President, Vice President, or a candidate for election to the office of President or Vice President) during the reporting period on an aircraft that is not licensed by the Federal Aviation Administration to operate for compensation or hire, together with the following information:

''(A) The date of the flight.

''(B) The destination of the flight.

''(C) The owner or lessee of the aircraft.

''(D) The purpose of the flight.

''(E) The persons on the flight, except for any person flying the aircraft.''.

(c) PUBLIC AVAILABILITY.—Paragraph 2(e) of rule XXXV of the Standing Rules of the Senate is amended to read as follows:

''(e) The Secretary of the Senate shall make available to the public all disclosures filed pursuant to subparagraphs (f) and (g) as soon as possible after they are received and such matters shall be posted on the Member's official website but no later than 30 days after the trip or flight.''.

SEC. 108. POST EMPLOYMENT RESTRICTIONS.

(a) IN GENERAL.—Paragraph 9 of rule XXXVII of the Standing Rules of the Senate is amended by—

(1) designating the first sentence as subparagraph (a);

(2) designating the second sentence as subparagraph (b); and

(3) adding at the end the following:

''(c) If an employee on the staff of a Member or on the staff of a committee whose rate of pay is equal to or greater than 75 percent of the rate of pay of a Member and employed at such rate for more than 60 days in a calendar year, upon leaving that position, becomes a registered lobbyist under the Lobbying Disclosure Act of 1995, or is employed or retained by such a registered lobbyist for the purpose of influencing legislation, such employee may not lobby any Member, officer, or employee of the Senate for a period of 1 year after leaving that position.''.

(b) EFFECTIVE DATE.—This section shall take effect 60 days after the date of enactment of this title.

SEC. 109. PUBLIC DISCLOSURE BY MEMBERS OF CONGRESS OF EMPLOYMENT NEGOTIATIONS.

Rule XXXVII of the Standing Rules of the Senate is amended by adding at the end the following:

''14. A Member shall not directly negotiate or have any arrangement concerning prospective private employment until after the election for his or her successor has been held, unless such Member files a statement with the Secretary of the Senate, for public disclosure, regarding such negotiations or arrangements within 3 business days after the commencement of such negotiation or arrangement, including the name of the private entity or entities involved in such negotiations or arrangements, the date such negotiations or arrangements commenced, and must be signed by the Member.''.

SEC. 110. PROHIBIT OFFICIAL CONTACT WITH SPOUSE OR IMMEDIATE FAMILY MEMBER OF MEMBER WHO IS A REGISTERED LOBBYIST.

Rule XXXVII of the Standing Rules of the Senate is amended by—

(1) redesignating paragraphs 10 through 12 as paragraphs 11 through 13, respectively; and

(2) inserting after paragraph 9, the following:

''10. (a) If a Member's spouse or immediate family member is a registered lobbyist under the Lobbying Disclosure Act of 1995, or is employed or retained by such a registered lobbyist for the purpose of influencing legislation, the Member shall prohibit all staff employed by that Member (including staff in personal, committee and leadership offices) from having any official contact with the Member's spouse or immediate family member.

''(b) In this paragraph, the term 'immediate family member' means the son, daughter, stepson, stepdaughter, son-in-law, daughter-in-law, mother, father, stepmother, stepfather, mother-in-law, father-in-law, brother, sister, stepbrother, or stepsister of the Member.''.

SEC. 111. INFLUENCING HIRING DECISIONS.

Rule XLIII of the Standing Rules of the Senate is amended by adding at the end the following:

''6. No Member shall, with the intent to influence on the basis of partisan political affiliation an employment decision or employment practice of any private entity—

''(1) take or withhold, or offer or threaten to take or withhold, an official act; or

''(2) influence, or offer or threaten to influence the official act of another.''.

SEC. 112. SENSE OF THE SENATE THAT ANY APPLICABLE RESTRICTIONS ON CONGRESSIONAL BRANCH EMPLOYEES SHOULD APPLY TO THE EXECUTIVE AND JUDICIAL BRANCHES.

It is the sense of the Senate that any applicable restrictions on Congressional branch employees in this title should apply to the Executive and Judicial branches.

SEC. 113. AMOUNTS OF COLA ADJUSTMENTS NOT PAID TO CERTAIN MEMBERS OF CONGRESS.

(a) IN GENERAL.—Any adjustment under section 601(a) of the Legislative Reorganization Act of 1946 (2 U.S.C. 31) (relating to the cost of living adjustments for Members of Congress) shall not be paid to any Member of Congress who voted for any amendment (or against the tabling of any amendment) that provided that such adjustment would not be made.

(b) DEPOSIT IN TREASURY.—Any amount not paid to a Member of Congress under subsection (a) shall be transmitted to the Treasury for deposit in the appropriations account under the subheading ''MEDICAL SERVICES'' under the heading ''VETERANS HEALTH ADMINISTRATION''.

(c) ADMINISTRATION.—The salary of any Member of Congress to whom subsection (a) applies shall be deemed to be the salary in effect after the application of that subsection, except that for purposes of determining any benefit (including any retirement or insurance benefit), the salary of that Member of Congress shall be deemed to be the salary that Member of Congress would have received, but for that subsection.

(d) EFFECTIVE DATE.—This section shall take effect on the first day of the first applicable pay period beginning on or after February 1, 2007.

SEC. 114. REQUIREMENT OF NOTICE OF INTENT TO PROCEED.

(a) IN GENERAL.—The majority and minority leaders of the Senate or their designees

shall recognize a notice of intent of a Senator who is a member of their caucus to object to proceeding to a measure or matter only if the Senator—

(1) submits the notice of intent in writing to the appropriate leader or their designee; and

(2) within 3 session days after the submission under paragraph (1), submits for inclusion in the Congressional Record and in the applicable calendar section described in subsection (b) the following notice:

''I, Senator ____, intend to object to proceeding to ____, dated ____.''.

(b) CALENDAR.—The Secretary of the Senate shall establish for both the Senate Calendar of Business and the Senate Executive Calendar a separate section entitled ''Notices of Intent to Object to Proceeding''. Each section shall include the name of each Senator filing a notice under subsection (a)(2), the measure or matter covered by the calendar that the Senator objects to, and the date the objection was filed.

(c) REMOVAL.—A Senator may have an item with respect to the Senator removed from a calendar to which it was added under subsection (b) by submitting for inclusion in the Congressional Record the following notice:

''I, Senator ____, do not object to proceeding to ____, dated ____.''.

SEC. 115. EFFECTIVE DATE.

Except as otherwise provided in this title, this title shall take effect on the date of enactment of this title.

TITLE II—LOBBYING TRANSPARENCY AND ACCOUNTABILITY ACT OF 2006

SEC. 201. SHORT TITLE.

This title may be cited as the ''Legislative Transparency and Accountability Act of 2006''.

Subtitle A—Enhancing Lobbying Disclosure

SEC. 211. QUARTERLY FILING OF LOBBYING DISCLOSURE REPORTS.

(a) QUARTERLY FILING REQUIRED.—Section 5 of the Lobbying Disclosure Act of 1995 (in this title referred to as the ''Act'') (2 U.S.C. 1604) is amended—

(1) in subsection (a)—

(A) in the subsection heading, by striking ''Semiannual'' and inserting ''Quarterly'';

(B) by striking ''the semiannual period'' and all that follows through ''July of each year'' and inserting ''the quarterly period beginning on the 20th day of January, April, July, and October of each year or on the first business day after the 20th day if that day is not a business day''; and

(C) by striking ''such semiannual period'' and inserting ''such quarterly period''; and

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking ''semiannual report'' and inserting ''quarterly report'';

(B) in paragraph (2), by striking ''semiannual filing period'' and inserting ''quarterly period'';

(C) in paragraph (3), by striking ''semiannual period'' and inserting ''quarterly period''; and

(D) in paragraph (4), by striking ''semiannual filing period'' and inserting ''quarterly period''.

(b) CONFORMING AMENDMENTS.—

(1) DEFINITION.—Section 3(10) of the Act (2 U.S.C. 1602) is amended by striking ''six month period'' and inserting ''three-month period''.

(2) REGISTRATION.—Section 4 of the Act (2 U.S.C. 1603) is amended—

(A) in subsection (a)(3)(A), by striking ''semiannual period'' and inserting ''quarterly period''; and

(B) in subsection (b)(3)(A), by striking ''semiannual period'' and inserting ''quarterly period''.

(3) ENFORCEMENT.—Section 6(a)(6) of the Act (2 U.S.C. 1605(6)) is amended by striking ''semiannual period'' and inserting ''quarterly period''.

(4) ESTIMATES.—Section 15 of the Act (2 U.S.C. 1610) is amended—

(A) in subsection (a)(1), by striking ''semiannual period'' and inserting ''quarterly period''; and

(B) in subsection (b)(1), by striking ''semiannual period'' and inserting ''quarterly period''.

(5) DOLLAR AMOUNTS.—

(A) REGISTRATION.—Section 4 of the Act (2 U.S.C. 1603) is amended—

(i) in subsection (a)(3)(A)(i), by striking ''$5,000'' and inserting ''$2,500'';

(ii) in subsection (a)(3)(A)(ii), by striking ''$20,000'' and inserting ''$10,000'';

(iii) in subsection (b)(3)(A), by striking ''$10,000'' and inserting ''$5,000''; and

(iv) in subsection (b)(4), by striking ''$10,000'' and inserting ''$5,000''.

(B) REPORTS.—Section 5 of the Act (2 U.S.C. 1604) is amended—

(i) in subsection (c)(1), by striking ''$10,000'' and ''$20,000'' and inserting ''$5,000'' and ''$10,000'', respectively; and

(ii) in subsection (c)(2), by striking ''$10,000'' both places such term appears and inserting ''$5,000''.

SEC. 212. ANNUAL REPORT ON CONTRIBUTIONS.

Section 5 of the Act (2 U.S.C. 1604) is amended by adding at the end the following:

''(d) ANNUAL REPORT ON CONTRIBUTIONS.—Not later than 45 days after the end of the quarterly period beginning on the first day of October of each year referred to in subsection (a), a lobbyist registered under section 4(a)(1), or an employee who is a lobbyist of an organization registered under section 4(a)(2), shall file a report with the Secretary of the Senate and the Clerk of the House of Representatives containing—

''(1) the name of the lobbyist;

''(2) the employer of the lobbyist;

''(3) the name of each Federal candidate or officeholder, leadership PAC, or political party committee, to whom a contribution equal to or exceeding $200 was made within the past year, and the date and amount of such contribution; and

''(4) the name of each Federal candidate or officeholder, leadership PAC, or political party committee for whom a fundraising event was hosted, co-hosted, or otherwise sponsored, within the past year, and the date and location of the event.''.

SEC. 213. PUBLIC DATABASE OF LOBBYING DISCLOSURE INFORMATION.

(a) DATABASE REQUIRED.—Section 6 of the Act (2 U.S.C. 1605) is amended—

(1) in paragraph (7), by striking ''and'' at the end;

(2) in paragraph (8), by striking the period and inserting ''; and''; and

(3) by adding at the end the following:

''(9) maintain, and make available to the public over the Internet, without a fee or other access charge, in a searchable, sortable, and downloadable manner, an electronic database that—

''(A) includes the information contained in registrations and reports filed under this Act;

''(B) directly links the information it contains to the information disclosed in reports filed with the Federal Election Commission under section 304 of the Federal Election Campaign Act of 1971 (2 U.S.C. 434); and

''(C) is searchable and sortable, at a minimum, by each of the categories of information described in section 4(b) or 5(b).''.

(b) AVAILABILITY OF REPORTS.—Section 6(a)(4) of the Act is amended by inserting before the semicolon the following: ''and, in the case of a report filed in electronic form under section 5(e), shall make such report available for public inspection over the Internet not more than 48 hours after the report is filed''.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out paragraph (9) of section 6(a) of the Act, as added by subsection (a).

SEC. 214. DISCLOSURE BY REGISTERED LOBBYISTS OF ALL PAST EXECUTIVE AND CONGRESSIONAL EMPLOYMENT.

Section 4(b)(6) of the Act (2 U.S.C. 1603) is amended by striking ''or a covered legislative branch official'' and all that follows through ''as a lobbyist on behalf of the client,'' and inserting ''or a covered legislative branch official,''.

SEC. 215. DISCLOSURE OF LOBBYIST TRAVEL AND PAYMENTS.

Section 5(b) of the Act (2 U.S.C. 1604(b)) is amended—

(1) in paragraph (3), by striking ''and'' after the semicolon;

(2) in paragraph (4), by striking the period and inserting a semicolon; and

(3) by adding at the end the following:

''(5) the name of each covered legislative branch official or covered executive branch official for whom the registrant provided, or directed or arranged to be provided, or the employee listed as a lobbyist directed or arranged to be provided, any payment or reimbursements for travel and related expenses in connection with the duties of such covered official, including for each such official—

''(A) an itemization of the payments or reimbursements provided to finance the travel and related expenses and to whom the payments or reimbursements were made, including any payment or reimbursement made with the express or implied understanding or agreement that such funds will be used for travel and related expenses;

''(B) the purpose and final itinerary of the trip, including a description of all meetings, tours, events, and outings attended;

''(C) the names of any registrant or individual employed by the registrant who traveled on any such trip;

''(D) the identity of the listed sponsor or sponsors of travel; and

''(E) the identity of any person or entity, other than the listed sponsor or sponsors of the travel, which directly or indirectly provided for payment of travel and related expenses at the request or suggestion of the registrant or the employee;

''(6) the date, recipient, and amount of funds contributed or disbursed by, or arranged by, a registrant or employee listed as a lobbyist—

''(A) to pay the costs of an event to honor or recognize a covered legislative branch official or covered executive branch official;

''(B) to, or on behalf of, an entity that is named for a covered legislative branch official or covered executive branch official, or to a person or entity in recognition of such official;

''(C) to an entity established, financed, maintained, or controlled by a covered legislative branch official or covered executive branch official, or an entity designated by such official; or

''(D) to pay the costs of a meeting, retreat, conference or other similar event held by, or for the benefit of, 1 or more covered legislative branch officials or covered executive branch officials;

except that this paragraph shall not apply to any payment or reimbursement made from funds required to be reported under section 304 of the Federal Election Campaign Act of 1971 (2 U.S.C. 434); and

''(7) the date, recipient, and amount of any gift (that under the rules of the House of Representatives or Senate counts towards

the one hundred dollar cumulative annual limit described in such rules) valued in excess of $20 given by a registrant or employee listed as a lobbyist to a covered legislative branch official or covered executive branch official;

''(8) for each client, immediately after listing the client, an identification of whether the client is a public entity, including a State or local government or a department, agency, special purpose district, or other instrumentality controlled by a State or local government, or a private entity.

For purposes of paragraph (7), the term 'gift' means a gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item having monetary value. The term includes gifts of services, training, transportation, lodging, and meals, whether provided in kind, by purchase of a ticket, payment in advance, or reimbursement after the expense has been incurred. Information required by paragraph (5) shall be disclosed as provided in this Act not later than 30 days after the travel.''.

SEC. 216. INCREASED PENALTY FOR FAILURE TO COMPLY WITH LOBBYING DISCLOSURE REQUIREMENTS.

Section 7 of the Act (2 U.S.C. 1606) is amended by striking ''$50,000'' and inserting ''$100,000''.

SEC. 217. DISCLOSURE OF LOBBYING ACTIVITIES BY CERTAIN COALITIONS AND ASSOCIATIONS.

(a) IN GENERAL.—Section 4(b)(3)(B) of the Act (2 U.S.C. 1603(b)(3)(B)) is amended to read as follows:

''(B) participates in a substantial way in the planning, supervision or control of such lobbying activities;''.

(b) NO DONOR OR MEMBERSHIP LIST DISCLOSURE.—Section 4(b) of the Act (2 U.S.C. 1603(b)) is amended by adding at the end the following:

''No disclosure is required under paragraph (3)(B) if it is publicly available knowledge that the organization that would be identified is affiliated with the client or has been publicly disclosed to have provided funding to the client, unless the organization in whole or in major part plans, supervises or controls such lobbying activities. Nothing in paragraph (3)(B) shall be construed to require the disclosure of any information about individuals who are members of, or donors to, an entity treated as a client by this Act or an organization identified under that paragraph.''.

SEC. 218. DISCLOSURE OF ENFORCEMENT FOR NONCOMPLIANCE.

Section 6 of the Act (2 U.S.C. 1605) is amended—

(1) by inserting ''(a)'' before ''The Secretary of the Senate'';

(2) in paragraph (8), by striking ''and'' at the end;

(3) in paragraph (9), by striking the period and inserting ''; and'';

(4) after paragraph (9), by inserting the following:

''(10) provide to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Government Reform of the House of Representatives the aggregate number of lobbyists and lobbying firms, separately accounted, referred to the United States Attorney for the District of Columbia for noncompliance as required by paragraph (8) on a semi-annual basis''; and

(5) by inserting at the end the following:

''(b) ENFORCEMENT REPORT.—The United States Attorney for the District of Columbia shall report to the Committee on Homeland Security and Governmental Affairs and the Committee on the Judiciary of the Senate and the Committee on Government Reform and the Committee on the Judiciary of the House of Representatives on a semi-annual basis the aggregate number of enforcement actions taken by the Attorney's office under this Act and the amount of fines, if any, by case, except that such report shall not include the names of individuals or personally identifiable information.''.

SEC. 219. ELECTRONIC FILING OF LOBBYING DISCLOSURE REPORTS.

Section 5 of the Act (2 U.S.C. 1604) is amended by adding at the end the following:

''(e) ELECTRONIC FILING REQUIRED.—A report required to be filed under this section shall be filed in electronic form, in addition to any other form. The Secretary of the Senate and the Clerk of the House of Representatives shall use the same electronic software for receipt and recording of filings under this Act.''.

SEC. 220. DISCLOSURE OF PAID EFFORTS TO STIMULATE GRASSROOTS LOBBYING.

(a) DEFINITIONS.—Section 3 of the Act (2 U.S.C. 1602) is amended—

(1) in paragraph (7), by adding at the end of the following: ''Lobbying activities include paid efforts to stimulate grassroots lobbying, but do not include grassroots lobbying.''; and

(2) by adding at the end of the following:

''(17) GRASSROOTS LOBBYING.—The term 'grassroots lobbying' means the voluntary efforts of members of the general public to communicate their own views on an issue to Federal officials or to encourage other members of the general public to do the same.

''(18) PAID EFFORTS TO STIMULATE GRASSROOTS LOBBYING.—

''(A) IN GENERAL.—The term 'paid efforts to stimulate grassroots lobbying' means any paid attempt in support of lobbying contacts on behalf of a client to influence the general public or segments thereof to contact one or more covered legislative or executive branch officials (or Congress as a whole) to urge such officials (or Congress) to take specific action with respect to a matter described in section 3(8)(A), except that such term does not include any communications by an entity directed to its members, employees, officers, or shareholders.

''(B) PAID ATTEMPT TO INFLUENCE THE GENERAL PUBLIC OR SEGMENTS THEREOF.—The term 'paid attempt to influence the general public or segments thereof' does not include an attempt to influence directed at less than 500 members of the general public.

''(C) REGISTRANT.—For purposes of this paragraph, a person or entity is a member of a registrant if the person or entity—

''(i) pays dues or makes a contribution of more than a nominal amount to the entity;

''(ii) makes a contribution of more than a nominal amount of time to the entity;

''(iii) is entitled to participate in the governance of the entity;

''(iv) is 1 of a limited number of honorary or life members of the entity; or

''(v) is an employee, officer, director or member of the entity.

''(19) GRASSROOTS LOBBYING FIRM.—The term 'grassroots lobbying firm' means a person or entity that—

''(A) is retained by 1 or more clients to engage in paid efforts to stimulate grassroots lobbying on behalf of such clients; and

''(B) receives income of, or spends or agrees to spend, an aggregate of $25,000 or more for such efforts in any quarterly period.''.

(b) REGISTRATION.—Section 4(a) of the Act (2 U.S.C. 1603(a)) is amended—

(1) in the flush matter at the end of paragraph (3)(A), by adding at the end the following: ''For purposes of clauses (i) and (ii), the term 'lobbying activities' shall not include paid efforts to stimulate grassroots lobbying.''; and

(2) by inserting after paragraph (3) the following:

''(4) FILING BY GRASSROOTS LOBBYING FIRMS.—Not later than 45 days after a grassroots lobbying firm first is retained by a client to engage in paid efforts to stimulate grassroots lobbying, such grassroots lobbying firm shall register with the Secretary of the Senate and the Clerk of the House of Representatives.''.

(c) SEPARATE ITEMIZATION OF PAID EFFORTS TO STIMULATE GRASSROOTS LOBBYING.—Section 5(b) of the Act (2 U.S.C. 1604(b)) is amended—

(1) in paragraph (3), by—

(A) inserting after ''total amount of all income'' the following: ''(including a separate good faith estimate of the total amount of income relating specifically to paid efforts to stimulate grassroots lobbying and, within that amount, a good faith estimate of the total amount specifically relating to paid advertising)''; and

(B) inserting ''or a grassroots lobbying firm'' after ''lobbying firm'';

(2) in paragraph (4), by inserting after ''total expenses'' the following: ''(including a good faith estimate of the total amount of expenses relating specifically to paid efforts to stimulate grassroots lobbying and, within that total amount, a good faith estimate of the total amount specifically relating to paid advertising)''; and

(3) by adding at the end the following:

''Subparagraphs (B) and (C) of paragraph (2) shall not apply with respect to reports relating to paid efforts to stimulate grassroots lobbying activities.''.

(d) GOOD FAITH ESTIMATES AND DE MINIMIS RULES FOR PAID EFFORTS TO STIMULATE GRASSROOTS LOBBYING.—

(1) IN GENERAL.—Section 5(c) of the Act (2 U.S.C. 1604(c)) is amended to read as follows:

''(c) ESTIMATES OF INCOME OR EXPENSES.—For purposes of this section, the following shall apply:

''(1) Estimates of income or expenses shall be made as follows:

''(A) Estimates of amounts in excess of $10,0000 shall be rounded to the nearest $20,000.

''(B) In the event income or expenses do not exceed $10,000, the registrant shall include a statement that income or expenses totaled less than $10,000 for the reporting period.

''(2) Estimates of income or expenses relating specifically to paid efforts to stimulate grassroots lobbying shall be made as follows:

''(A) Estimates of amounts in excess of $25,000 shall be rounded to the nearest $20,000.

''(B) In the event income or expenses do not exceed $25,000, the registrant shall include a statement that income or expenses totaled less than $25,000 for the reporting period.''.

(2) TAX REPORTING.—Section 15 of the Act (2 U.S.C. 1610) is amended—

(A) in subsection (a)—

(i) in paragraph (1), by striking ''and'' after the semicolon;

(ii) in paragraph (2), by striking the period and inserting ''; and''; and

(iii) by adding at the end the following:

''(3) in lieu of using the definition of paid efforts to stimulate grassroots lobbying in section 3(18), consider as paid efforts to stimulate grassroots lobbying only those activities that are grassroots expenditures as defined in section 4911(c)(3) of the Internal Revenue Code of 1986.''; and

(B) in subsection (b)—

(i) in paragraph (1), by striking ''and'' after the semicolon;

(ii) in paragraph (2), by striking the period and inserting ''; and''; and

(iii) by adding at the end the following:

''(3) in lieu of using the definition of paid efforts to stimulate grassroots lobbying in

section 3(18), consider as paid efforts to stimulate grassroots lobbying only those activities that are grassroots expenditures as defined in section 4911(c)(3) of the Internal Revenue Code of 1986.''.

SEC. 221. ELECTRONIC FILING AND PUBLIC DATABASE FOR LOBBYISTS FOR FOREIGN GOVERNMENTS.

(a) ELECTRONIC FILING.—Section 2 of the Foreign Agents Registration Act (22 U.S.C. 612) is amended by adding at the end the following new subsection:

''(g) ELECTRONIC FILING OF REGISTRATION STATEMENTS AND UPDATES.—A registration statement or update required to be filed under this section shall be filed in electronic form, in addition to any other form that may be required by the Attorney General.''.

(b) PUBLIC DATABASE.—Section 6 of the Foreign Agents Registration Act (22 U.S.C. 616) is amended by adding at the end the following new subsection:

''(d) PUBLIC DATABASE OF REGISTRATION STATEMENTS AND UPDATES.—

''(1) IN GENERAL.—The Attorney General shall maintain, and make available to the public over the Internet, without a fee or other access charge, in a searchable, sortable, and downloadable manner, an electronic database that—

''(A) includes the information contained in registration statements and updates filed under this Act;

''(B) directly links the information it contains to the information disclosed in reports filed with the Federal Election Commission under section 304 of the Federal Election Campaign Act of 1971 (2 U.S.C. 434); and

''(C) is searchable and sortable, at a minimum, by each of the categories of information described in section 2(a).

''(2) ACCOUNTABILITY.—Each registration statement and update filed in electronic form pursuant to section 2(g) shall be made available for public inspection over the internet not more than 48 hours after the registration statement or update is filed.''.

SEC. 222. EFFECTIVE DATE.

This subtitle and the amendments made by this subtitle shall take effect January 1, 2007.

Subtitle B—Oversight of Ethics and Lobbying

SEC. 231. COMPTROLLER GENERAL AUDIT AND ANNUAL REPORT.

(a) AUDIT REQUIRED.—The Comptroller General shall audit on an annual basis lobbying registration and reports filed under the Lobbying Disclosure Act of 1995 to determine the extent of compliance or noncompliance with the requirements of that Act by lobbyists and their clients.

(b) ANNUAL REPORTS.—Not later than April 1 of each year, the Comptroller General shall submit to Congress a report on the review required by subsection (a). The report shall include the Comptroller General's assessment of the matters required to be emphasized by that subsection and any recommendations of the Comptroller General to—

(1) improve the compliance by lobbyists with the requirements of that Act; and

(2) provide the Secretary of the Senate and the Clerk of the House of Representatives with the resources and authorities needed for effective oversight and enforcement of that Act.

SEC. 232. MANDATORY SENATE ETHICS TRAINING FOR MEMBERS AND STAFF.

(a) TRAINING PROGRAM.—The Select Committee on Ethics shall conduct ongoing ethics training and awareness programs for Members of the Senate and Senate staff.

(b) REQUIREMENTS.—The ethics training program conducted by the Select Committee on Ethics shall be completed by—

(1) new Senators or staff not later than 60 days after commencing service or employment; and

(2) Senators and Senate staff serving or employed on the date of enactment of this Act not later than 120 days after the date of enactment of this Act.

SEC. 233. SENSE OF THE SENATE REGARDING SELF-REGULATION WITHIN THE LOBBYING COMMUNITY.

It is the sense of the Senate that the lobbying community should develop proposals for multiple self-regulatory organizations which could provide—

(1) for the creation of standards for the organizations appropriate to the type of lobbying and individuals to be served;

(2) training for the lobbying community on law, ethics, reporting requirements, and disclosure requirements;

(3) for the development of educational materials for the public on how to responsibly hire a lobbyist or lobby firm;

(4) standards regarding reasonable fees to clients;

(5) for the creation of a third-party certification program that includes ethics training; and

(6) for disclosure of requirements to clients regarding fee schedules and conflict of interest rules.

SEC. 234. ANNUAL ETHICS COMMITTEES REPORTS.

The Committee on Standards of Official Conduct of the House of Representatives and the Select Committee on Ethics of the Senate shall each issue an annual report due no later than January 31, describing the following:

(1) The number of alleged violations of Senate or House rules including the number received from third parties, from Members or staff within each House, or inquires raised by a Member or staff of the respective House or Senate committee.

(2) A list of the number of alleged violations that were dismissed—

(A) for lack of subject matter jurisdiction; or

(B) because they failed to provide sufficient facts as to any material violation of the House or Senate rules beyond mere allegation or assertion.

(3) The number of complaints in which the committee staff conducted a preliminary inquiry.

(4) The number of complaints that staff presented to the committee with recommendations that the complaint be dismissed.

(5) The number of complaints that the staff presented to the committee with recommendation that the investigation proceed.

(6) The number of ongoing inquiries.

(7) The number of complaints that the committee dismissed for lack of substantial merit.

(8) The number of private letters of admonition or public letters of admonition issued.

(9) The number of matters resulting in a disciplinary sanction.

Subtitle C—Slowing the Revolving Door

SEC. 241. AMENDMENTS TO RESTRICTIONS ON FORMER OFFICERS, EMPLOYEES, AND ELECTED OFFICIALS OF THE EXECUTIVE AND LEGISLATIVE BRANCHES.

(a) VERY SENIOR EXECUTIVE PERSONNEL.—The matter after subparagraph (C) in section 207(d)(1) of title 18, United States Code, is amended by striking ''within 1 year'' and inserting ''within 2 years''.

(b) RESTRICTIONS ON LOBBYING BY MEMBERS OF CONGRESS AND EMPLOYEES OF CONGRESS.—Subsection (e) of section 207 of title 18, United States Code, is amended—

(1) in paragraph (1)(A), by striking ''within 1 year'' and inserting ''within 2 years'';

(2) by striking paragraphs (2) through (5) and inserting the following:

''(2) CONGRESSIONAL STAFF.—

''(A) PROHIBITION.—Any person who is an employee of a House of Congress and who, within 1 year after that person leaves office, knowingly makes, with the intent to influence, any communication to or appearance before any of the persons described in subparagraph (B), on behalf of any other person (except the United States) in connection with any matter on which such former employee seeks action by a Member, officer, or employee of either House of Congress, in his or her official capacity, shall be punished as provided in section 216 of this title.

''(B) CONTACT PERSONS COVERED.— persons referred to in subparagraph (A) with respect to appearances or communications are any Member, officer, or employee of the House of Congress in which the person subject to subparagraph (A) was employed. This subparagraph shall not apply to contacts with staff of the Secretary of the Senate or the Clerk of the House of Representatives regarding compliance with lobbying disclosure requirements under the Lobbying Disclosure Act of 1995.'';

(3) in paragraph (6)—

(A) by striking ''paragraphs (2), (3), and (4)'' and inserting ''paragraph (2)'';

(B) by striking ''(A)'';

(C) by striking subparagraph (B); and

(D) by redesignating the paragraph as paragraph (3); and

(4) by redesignating paragraph (7) as paragraph (4).

(c) EFFECTIVE DATE.—The amendments made by subsection (b) shall take effect 60 days after the date of enactment of this Act.

Subtitle D—Ban on Provision of Gifts or Travel by Lobbyists in Violation of the Rules of Congress

SEC. 251. PROHIBITION ON PROVISION OF GIFTS OR TRAVEL BY REGISTERED LOBBYISTS TO MEMBERS OF CONGRESS AND TO CONGRESSIONAL EMPLOYEES.

The Lobbying Disclosure Act of 1995 is amended by adding at the end the following:

''SEC. 25. PROHIBITION ON PROVISION OF GIFTS OR TRAVEL BY REGISTERED LOBBYISTS TO MEMBERS OF CONGRESS AND TO CONGRESSIONAL EMPLOYEES.

''(a) PROHIBITION.—A registered lobbyist may not knowingly make a gift or provide travel to a Member, Delegate, Resident Commissioner, officer, or employee of Congress, unless the gift or travel may be accepted under the rules of the House of Representatives or the Senate.

''(b) PENALTY.—Any registered lobbyist who violates this section shall be subject to penalties provided in section 7.''.

Subtitle E—Commission to Strengthen Confidence in Congress Act of 2006

SEC. 261. SHORT TITLE.

This subtitle may be cited as the ''Commission to Strengthen Confidence in Congress Act of 2006''.

SEC. 262. ESTABLISHMENT OF COMMISSION.

There is established in the legislative branch a commission to be known as the ''Commission to Strengthen Confidence in Congress'' (in this subtitle referred to as the ''Commission'').

SEC. 263. PURPOSES.

The purposes of the Commission are to—

(1) evaluate and report the effectiveness of current congressional ethics requirements, if penalties are enforced and sufficient, and make recommendations for new penalties;

(2) weigh the need for improved ethical conduct with the need for lawmakers to have access to expertise on public policy issues;

(3) determine whether the current system for enforcing ethics rules and standards of conduct is sufficiently effective and transparent;

(4) determine whether the statutory framework governing lobbying disclosure should be expanded to include additional means of attempting to influence Members of Congress, senior staff, and high-ranking executive branch officials;

(5) analyze and evaluate the changes made by this Act to determine whether additional changes need to be made to uphold and enforce standards of ethical conduct and disclosure requirements; and

(6) investigate and report to Congress on its findings, conclusions, and recommendations for reform.

SEC. 264. COMPOSITION OF COMMISSION.

(a) MEMBERS.—The Commission shall be composed of 10 members, of whom—

(1) the chair and vice chair shall be selected by agreement of the majority leader and minority leader of the House of Representatives and the majority leader and minority leader of the Senate;

(2) 2 members shall be appointed by the senior member of the Senate leadership of the Republican Party, 1 of which is a former member of the Senate;

(3) 2 members shall be appointed by the senior member of the Senate leadership of the Democratic Party, 1 of which is a former member of the Senate;

(4) 2 members shall be appointed by the senior member of the leadership of the House of Representatives of the Republican Party, 1 of which is a former member of the House of Representatives; and

(5) 2 members shall be appointed by the senior member of the leadership of the House of Representatives of the Democratic Party, 1 of which is a former member of the House of Representatives.

(b) QUALIFICATIONS; INITIAL MEETING.—

(1) POLITICAL PARTY AFFILIATION.—Five members of the Commission shall be Democrats and 5 Republicans.

(2) NONGOVERNMENTAL APPOINTEES.—An individual appointed to the Commission may not be an officer or employee of the Federal Government or any State or local government.

(3) OTHER QUALIFICATIONS.—It is the sense of Congress that individuals appointed to the Commission should be prominent United States citizens, with national recognition and significant depth of experience in professions such as governmental service, government consulting, government contracting, the law, higher education, historian, business, public relations, and fundraising.

(4) DEADLINE FOR APPOINTMENT.—All members of the Commission shall be appointed on a date 3 months after the date of enactment of this Act.

(5) INITIAL MEETING.—The Commission shall meet and begin the operations of the Commission as soon as practicable.

(c) QUORUM; VACANCIES.—After its initial meeting, the Commission shall meet upon the call of the chairman or a majority of its members. Six members of the Commission shall constitute a quorum. Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

SEC. 265. FUNCTIONS OF COMMISSION.

The functions of the Commission are to submit to Congress a report required by this title containing such findings, conclusions, and recommendations as the Commission shall determine, including proposing organization, coordination, planning, management arrangements, procedures, rules and regulations—

(1) related to section 263; or

(2) related to any other areas the commission unanimously votes to be relevant to its mandate to recommend reforms to strengthen ethical safeguards in Congress.

SEC. 266. POWERS OF COMMISSION.

(a) HEARINGS AND EVIDENCE.—The Commission or, on the authority of the Commission, any subcommittee or member thereof, may, for the purpose of carrying out this title hold such hearings and sit and act at such times and places, take such testimony, receive such evidence, administer such oaths.

(b) OBTAINING INFORMATION.—Upon request of the Commission, the head of any agency or instrumentality of the Federal Government shall furnish information deemed necessary by the panel to enable it to carry out its duties.

(c) LIMIT ON COMMISSION AUTHORITY.—The Commission shall not conduct any law enforcement investigation, function as a court of law, or otherwise usurp the duties and responsibilities of the ethics committee of the House of Representatives or the Senate.

SEC. 267. ADMINISTRATION.

(a) COMPENSATION.—Except as provided in subsection (b), members of the Commission shall receive no additional pay, allowances, or benefits by reason of their service on the Commission.

(b) TRAVEL EXPENSES AND PER DIEM.—Each member of the Commission shall receive travel expenses and per diem in lieu of subsistence in accordance with sections 5702 and 5703 of title 5, United States Code.

(c) STAFF AND SUPPORT SERVICES.—

(1) STAFF DIRECTOR.—

(A) APPOINTMENT.—The Chair (or Co-Chairs) in accordance with the rules agreed upon by the Commission shall appoint a staff director for the Commission.

(B) COMPENSATION.—The staff director shall be paid at a rate not to exceed the rate established for level V of the Executive Schedule under section 5315 of title 5, United States Code.

(2) STAFF.—The Chair (or Co-Chairs) in accordance with the rules agreed upon by the Commission shall appoint such additional personnel as the Commission determines to be necessary.

(3) APPLICABILITY OF CIVIL SERVICE LAWS.—The staff director and other members of the staff of the Commission shall be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and shall be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates.

(4) EXPERTS AND CONSULTANTS.—With the approval of the Commission, the staff director may procure temporary and intermittent services under section 3109(b) of title 5, United States Code.

(d) PHYSICAL FACILITIES.—The Architect of the Capitol, in consultation with the appropriate entities in the legislative branch, shall locate and provide suitable office space for the operation of the Commission on a nonreimbursable basis. The facilities shall serve as the headquarters of the Commission and shall include all necessary equipment and incidentals required for the proper functioning of the Commission.

(e) ADMINISTRATIVE SUPPORT SERVICES AND OTHER ASSISTANCE.—

(1) IN GENERAL.—Upon the request of the Commission, the Architect of the Capitol and the Administrator of General Services shall provide to the Commission on a nonreimbursable basis such administrative support services as the Commission may request.

(2) ADDITIONAL SUPPORT.—In addition to the assistance set forth in paragraph (1), departments and agencies of the United States may provide the Commission such services, funds, facilities, staff, and other support services as the Commission may deem advisable and as may be authorized by law.

(f) USE OF MAILS.—The Commission may use the United States mails in the same manner and under the same conditions as Federal agencies and shall, for purposes of the frank, be considered a commission of Congress as described in section 3215 of title 39, United States Code.

(g) PRINTING.—For purposes of costs relating to printing and binding, including the cost of personnel detailed from the Government Printing Office, the Commission shall be deemed to be a committee of the Congress.

SEC. 268. SECURITY CLEARANCES FOR COMMISSION MEMBERS AND STAFF.

The appropriate Federal agencies or departments shall cooperate with the Commission in expeditiously providing to the Commission members and staff appropriate security clearances to the extent possible pursuant to existing procedures and requirements, except that no person shall be provided with access to classified information under this title without the appropriate security clearances.

SEC. 269. COMMISSION REPORTS; TERMINATION.

(a) ANNUAL REPORTS.—The Commission shall submit—

(1) an initial report to Congress not later than July 1, 2006; and

(2) annual reports to Congress after the report required by paragraph (1);

containing such findings, conclusions, and recommendations for corrective measures as have been agreed to by a majority of Commission members.

(b) ADMINISTRATIVE ACTIVITIES.—During the 60-day period beginning on the date of submission of each annual report and the final report under this section, the Commission shall—

(1) be available to provide testimony to committees of Congress concerning such reports; and

(2) take action to appropriately disseminate such reports.

(c) TERMINATION OF COMMISSION.—

(1) FINAL REPORT.—Five years after the date of enactment of this Act, the Commission shall submit to Congress a final report containing information described in subsection (a).

(2) TERMINATION.—The Commission, and all the authorities of this title, shall terminate 60 days after the date on which the final report is submitted under paragraph (1), and the Commission may use such 60-day period for the purpose of concluding its activities.

SEC. 270. FUNDING.

There are authorized such sums as necessary to carry out this title.

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent to strike all after the enacting clause of S. 2349 and insert in lieu thereof the provisions of H.R. 4975 as engrossed by the House.

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

There was no objection.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

The title of the Senate bill was amended so as to read: ''To provide greater transparency with respect to lobbying activities, to amend the Federal Election Campaign Act of 1971 to clarify when organizations described in section 527 of the Internal Revenue Code of 1986 must register as political committees, and for other purposes.''

A motion to reconsider was laid on the table.

A similar House bill (H.R. 4975) was laid on the table.

□ 1200

GENERAL LEAVE

Mr. BONILLA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 5384, and that I might include tabular material on the same.

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

There was no objection.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2007

The SPEAKER pro tempore. Pursuant to House Resolution 830 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 5384.

The Chair designates the gentleman from Wisconsin (Mr. RYAN) as Chairman of the Committee of the Whole, and requests the gentleman from Florida (Mr. MILLER) to assume the chair temporarily.

□ 1201

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 5384) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2007, and for other purposes, with Mr. MILLER of Florida (Acting Chairman) in the chair.

The Clerk read the title of the bill.

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

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

The Chair recognizes the gentleman from Texas.

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

Mr. Chairman, I am pleased to bring before the House today the fiscal year 2007 appropriations bill for Agriculture, Rural Development, the Food and Drug Administration and Related Agencies. Before I do so, I would like to say how proud I am to be serving in my final year as chairman of the subcommittee. It has been a great privilege and a great experience.

I want to compliment my ranking member, Ms. DELAURO, for helping us get to this point today to produce a good bill for the American people. My goal every year has been to produce a bipartisan bill.

We began our hearings on the budget on February 15, and we added an additional hearing at the request of Ms. DELAURO on bird flu, which is a very important issue to people not just in this country, but around the world; and I have tried very hard to accommodate every Member who had a request for this bill. But it has been difficult. We received this year over 1,600 individual requests for specific spending from most Members of the House.

I would say that all Members can support this bill and tell their constituents that they voted to improve their lives while maintaining fiscal responsibility.

I would also like to thank all of my subcommittee members on both sides of the aisle for helping to produce this bill, and I would like to thank people who oftentimes don't get recognized for all of the hard work, sometimes on Saturday nights and Sunday mornings, that goes into putting a bill together. It is not just the Members that are elected to serve on this subcommittee and full committee, but we have the committee staff: Martha Foley of the minority staff; Martin Delgado, the great, distinguished leader, the clerk of the subcommittee; Maureen Holohan, Leslie Barrack and Jamie Swafford of the majority staff. In addition, I would like to thank our detailee, Mike Arnold, and Walt Smith from Texas A&M back in Texas at College Station from my personal staff for working hard on this.

I also want to mention some people that I would say have never had their names mentioned before on the floor of the House, but without them we could not be here today. They are the ones that helped put this whole product together: Larry Boarman, Theo Powell, Cathy Edwards, Linda Muir and the staff of the Government Printing Office.

Mr. Chairman, we refer to this bill as the agriculture bill, but it goes so much more than assisting basic agriculture. It also supports rural and economic development, human nutrition, ag exports and land conservation, as well as the food, drug, and medical safety in this country. This bill will cover benefits to of every one of your constituents everyday, no matter what district you represent.

There are some key increases over the fiscal year 2006 spending level in the bill that include the following: $80 million for bird flu; $24 million for food safety; $11 million for the Commodity Supplemental Food Program, the budget request proposed to zero out this program; $34 million for the Farm Service Agency, salaries and expenses; $12 million for farm operating loans; $91 million for the Animal and Plant Health Inspection Service; and $20 million for the FDA user-fee programs for prescription drugs, medical devices, and animal drugs.

Mr. Chairman, I will include at this point in the RECORD tabular material relating to the bill.

AGRICULTURE-RURAL DEVELOPMENT-FOOD AND DRUG ADMINISTRATION AND RELATED AGENCIES APPROPRIATIONS (H.R. 5384)
(Amounts in thousands)

	FY 2006 Enacted	FY 2007 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I - AGRICULTURAL PROGRAMS					
Production, Processing, and Marketing					
Office of the Secretary	5,076	11,540	5,499	+423	-6,041
Executive Operations:					
Chief Economist	10,434	11,226	11,226	+792	---
National Appeals Division	14,379	14,795	14,795	+416	---
Office of Budget and Program Analysis	8,215	8,479	8,479	+264	---
Homeland Security staff	925	1,114	954	+29	-160
Office of the Chief Information Officer	16,297	16,936	16,936	+639	---
Common computing environment	108,971	108,900	68,971	-40,000	-39,929
Office of the Chief Financial Officer	5,815	19,931	5,991	+176	-13,940
Working capital fund	---	---	---	---	---
Total, Executive Operations	165,036	181,381	127,352	-37,684	-54,029
Office of the Assistant Secretary for Civil Rights	813	836	836	+23	---
Office of Civil Rights	19,908	22,650	22,650	+2,742	---
Office of the Assistant Secretary for Administration	669	773	736	+67	-37
Agriculture buildings and facilities and rental payments	(185,857)	(209,814)	(209,814)	(+23,957)	---
Payments to GSA	146,257	155,851	155,851	+9,594	---
Building operations and maintenance	39,600	53,963	53,963	+14,363	---
Hazardous materials management	11,880	12,020	12,020	+140	---
Departmental administration	22,872	28,302	24,114	+1,242	-4,188
Office of the Assistant Secretary for Congressional Relations	3,783	3,940	3,940	+157	---
Office of Communications	9,414	9,695	9,695	+281	---
Office of the Inspector General	79,533	82,493	82,493	+2,960	---
Office of the General Counsel	38,957	40,647	40,455	+1,498	-192
Office of the Under Secretary for Research, Education, and Economics	592	694	651	+59	-43
Economic Research Service	75,172	82,544	80,963	+5,791	-1,581
National Agricultural Statistics Service	139,293	152,584	148,719	+9,426	-3,865
Census of Agriculture	(28,824)	(36,582)	(36,582)	(+7,758)	---
Agricultural Research Service:					
Salaries and expenses	1,123,654	1,001,385	1,057,603	-66,051	+56,218
Buildings and facilities	129,883	8,415	140,000	+10,117	+131,585
Total, Agricultural Research Service	1,253,537	1,009,800	1,197,603	-55,934	+187,803
Cooperative State Research, Education, and Extension Service:					
Research and education activities	670,081	566,300	651,606	-18,475	+85,306
Native American Institutions Endowment Fund	(12,000)	(11,880)	(11,880)	(-120)	---
Extension activities	451,395	430,727	457,042	+5,647	+26,315
Integrated activities	55,234	19,120	55,234	---	+36,114
Outreach for socially disadvantaged farmers	5,940	6,930	6,930	+990	---
Total, Cooperative State Research, Education, and Extension Service	1,182,650	1,023,077	1,170,812	-11,838	+147,735
Office of the Under Secretary for Marketing and Regulatory Programs	717	741	741	+24	---
Animal and Plant Health Inspection Service:					
Salaries and expenses	807,306	945,153	898,116	+90,810	-47,037
Animal welfare (user fees) (leg. proposal) NA.	---	(8,221)	---	---	(-8,221)
Buildings and facilities	4,946	6,431	5,946	+1,000	-485
Total, Animal and Plant Health Inspection Service	812,252	951,584	904,062	+91,810	-47,522

AGRICULTURE-RURAL DEVELOPMENT-FOOD AND DRUG ADMINISTRATION AND RELATED AGENCIES APPROPRIATIONS (H.R. 5384)
(Amounts in thousands)

	FY 2006 Enacted	FY 2007 Request	Bill	Bill vs. Enacted	Bill vs. Request
Agricultural Marketing Service:					
Marketing Services	74,622	81,498	77,269	+2,647	-4,229
Standardization (user fees) (leg. proposal) NA	---	(2,212)	---	---	(-2,212)
(Limitation on administrative expenses, from fees collected)	(65,667)	(62,211)	(62,211)	(-3,456)	---
Funds for strengthening markets, income, and supply (transfer from section 32)	16,055	4,106	16,425	+370	+12,319
Agriculture marketing service standardization (user fees) (leg. proposal) NA	---	(12,000)	---	---	(-12,000)
Discretionary appropriations	20,000	---	9,900	-10,100	+9,900
Payments to states and possessions	3,809	1,334	1,334	-2,475	---
Total, Agricultural Marketing Service	114,486	86,938	104,928	-9,558	+17,990
Grain Inspection, Packers and Stockyards Administration:					
Salaries and expenses	38,059	21,844	39,737	+1,678	+17,893
Grain inspection, packers and stockyards administration (user fees) (leg. proposal)NA	---	(19,663)	---	---	(-19,663)
Limitation on inspection and weighing services	(42,463)	(42,463)	(42,463)	---	---
Office of the Under Secretary for Food Safety	596	696	656	+60	-40
Food Safety and Inspection Service	829,378	757,470	853,249	+23,871	+95,779
Food safety inspection (user fees) (leg. prop) NA.	---	(105,435)	---	---	(-105,435)
Lab accreditation fees	(1,000)	(1,000)	(1,000)	---	---
Total, Production, Processing, and Marketing	4,990,530	4,692,063	5,041,725	+51,195	+349,662
Farm Assistance Programs					
Office of the Under Secretary for Farm and Foreign Agricultural Services	629	737	691	+62	-46
Farm Service Agency:					
Salaries and expenses	1,019,700	1,091,359	1,053,760	+34,060	-37,599
Loan deficiency payments (user fees) (leg. proposal) NA	---	(10,000)	---	---	(-10,000)
Conservation reserve program (user fees) (leg. proposal) NA	---	(25,000)	---	---	(-25,000)
(Transfer from export loans)	(1,821)	(346)	(346)	(-1,475)	---
(Transfer from P.L. 480)	(3,185)	(2,651)	(2,651)	(-534)	---
(Transfer from ACIF)	(301,545)	(311,737)	(307,338)	(+5,793)	(-4,399)
(Transfer from farm storage loan program account).	---	(4,560)	---	---	(-4,560)
Subtotal, transfers from program accounts	(306,551)	(319,294)	(310,335)	(+3,784)	(-8,959)
Total, Salaries and expenses	(1,326,251)	(1,410,653)	(1,364,095)	(+37,844)	(-46,558)
State mediation grants	4,208	4,208	4,208	---	---
Grassroot source water protection program	3,713	---	3,713	---	+3,713
Dairy indemnity program	100	100	100	---	---
Subtotal, Farm Service Agency	1,027,721	1,095,667	1,061,781	+34,060	-33,886
Agricultural Credit Insurance Fund Program Account:					
Loan authorizations:					
Farm ownership loans:					
Direct	(205,918)	(222,750)	(222,750)	(+16,832)	---
Guaranteed	(1,386,000)	(1,200,000)	(1,200,000)	(-186,000)	---
Subtotal	(1,591,918)	(1,422,750)	(1,422,750)	(-169,168)	---
Farm operating loans:					
Direct	(643,500)	(643,500)	(643,500)	---	---
Unsubsidized guaranteed	(1,138,500)	(1,025,610)	(1,150,000)	(+11,500)	(+124,390)

AGRICULTURE-RURAL DEVELOPMENT-FOOD AND DRUG ADMINISTRATION AND RELATED AGENCIES APPROPRIATIONS (H.R. 5384)
(Amounts in thousands)

	FY 2006 Enacted	FY 2007 Request	Bill	Bill vs. Enacted	Bill vs. Request
Subsidized guaranteed	(271,886)	(272,250)	(272,254)	(+368)	(+4)
Subtotal	(2,053,886)	(1,941,360)	(2,065,754)	(+11,868)	(+124,394)
Indian tribe land acquisition loans	(2,000)	(3,960)	(3,960)	(+1,960)	---
Boll weevil eradication loans	(100,000)	(59,400)	(59,400)	(-40,600)	---
Total, Loan authorizations	(3,747,804)	(3,427,470)	(3,551,864)	(-195,940)	(+124,394)
Loan subsidies:					
Farm ownership loans:					
Direct	10,544	9,333	9,333	-1,211	---
Guaranteed	6,653	---	6,960	+307	+6,960
Subtotal	17,197	9,333	16,293	-904	+6,960
Farm operating loans:					
Direct	64,028	75,225	75,225	+11,197	---
Unsubsidized guaranteed	34,497	2,667	28,405	-6,092	+25,738
Subsidized guaranteed	33,986	24,720	27,416	-6,570	+2,696
Subtotal	132,511	102,612	131,046	-1,465	+28,434
Indian tribe land acquisition	80	838	838	+758	---
Boll weevil eradication loans	---	1,129	1,129	+1,129	---
Total, Loan subsidies	149,788	113,912	149,306	-482	+35,394
ACIF expenses:					
Salaries and expense (transfer to FSA)	301,545	311,737	307,338	+5,793	-4,399
Administrative expenses	7,920	7,920	7,920	---	---
Total, ACIF expenses	309,465	319,657	315,258	+5,793	-4,399
Total, Agricultural Credit Insurance Fund	459,253	433,569	464,564	+5,311	+30,995
(Loan authorization)	(3,747,804)	(3,427,470)	(3,551,864)	(-195,940)	(+124,394)
Total, Farm Service Agency	1,486,974	1,529,236	1,526,345	+39,371	-2,891
Risk Management Agency	76,278	80,797	77,197	+919	-3,600
Total, Farm Assistance Programs	1,563,881	1,610,770	1,604,233	+40,352	-6,537
Corporations					
Federal Crop Insurance Corporation:					
Federal crop insurance corporation fund	3,159,379	4,131,035	4,131,035	+971,656	---
Commodity Credit Corporation Fund:					
Reimbursement for net realized losses	25,690,000	19,740,000	19,740,000	-5,950,000	---
Hazardous waste management (limitation on expenses)	(5,000)	(5,000)	(5,000)	---	---
Farm Storage Facility Loans Program Account:					
Salaries and expenses:					
Farm Service Agency (transfer to FSA)	---	4,560	---	---	-4,560
Total, Corporations	28,849,379	23,875,595	23,871,035	-4,978,344	-4,560
Total, title I, Agricultural Programs	35,403,790	30,178,428	30,516,993	-4,886,797	+338,565
(By transfer)	(306,551)	(319,294)	(310,335)	(+3,784)	(-8,959)
(Loan authorization)	(3,747,804)	(3,427,470)	(3,551,864)	(-195,940)	(+124,394)
(Limitation on administrative expenses)	(113,130)	(109,674)	(109,674)	(-3,456)	---

AGRICULTURE-RURAL DEVELOPMENT-FOOD AND DRUG ADMINISTRATION AND RELATED AGENCIES APPROPRIATIONS (H.R. 5384)
(Amounts in thousands)

	FY 2006 Enacted	FY 2007 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE II - CONSERVATION PROGRAMS					
Office of the Under Secretary for Natural Resources and Environment	737	957	810	+73	-147
Natural Resources Conservation Service:					
Conservation operations	831,124	744,877	791,498	-39,626	+46,621
Watershed surveys and planning	6,022	---	6,022	---	+6,022
Watershed and flood prevention operations	74,250	---	40,000	-34,250	+40,000
Watershed rehabilitation program	31,245	15,300	31,245	---	+15,945
Resource conservation and development	50,787	25,933	50,787	---	+24,854
Healthy forests reserve program	---	2,475	---	---	-2,475
Total, Natural Resources Conservation Service	993,428	788,585	919,552	-73,876	+130,967
Total, title II, Conservation Programs	994,165	789,542	920,362	-73,803	+130,820
TITLE III - RURAL DEVELOPMENT PROGRAMS					
Office of the Under Secretary for Rural Development	629	823	692	+63	-131
Rural Development:					
Rural community advancement program	694,922	600,762	699,893	+4,971	+99,131
(Transfer out)	(-25,740)	---	---	(+25,740)	---
Total, Rural community advancement program	694,922	600,762	699,893	+4,971	+99,131
RD expenses:					
Salaries and expenses	162,979	170,741	182,860	+19,881	+12,119
(Transfer from RHIF)	(450,261)	(455,776)	(430,080)	(-20,181)	(-25,696)
(Transfer from MHRP)	---	---	(990)	(+990)	(+990)
(Transfer from RDLFP)	(4,745)	(4,950)	(4,780)	(+35)	(-170)
(Transfer from RETLP)	(38,396)	(39,600)	(39,101)	(+705)	(-499)
(Transfer from RTB)	(2,475)	---	---	(-2,475)	---
Subtotal, Transfers from program accounts	(495,877)	(500,326)	(474,951)	(-20,926)	(-25,375)
Total, RD expenses	(658,856)	(671,067)	(657,811)	(-1,045)	(-13,256)
Total, Rural Development	857,901	771,503	882,753	+24,852	+111,250
Rural Housing Service:					
Rural Housing Insurance Fund Program Account:					
Loan authorizations:					
Single family direct (sec. 502)	(1,129,391)	(1,237,498)	(1,237,498)	(+108,107)	---
Unsubsidized guaranteed	(3,644,224)	(3,564,238)	(3,564,238)	(-79,986)	---
Subtotal, Single family	(4,773,615)	(4,801,736)	(4,801,736)	(+28,121)	---
Housing repair (sec. 504)	(34,652)	(36,382)	(36,382)	(+1,730)	---
Rental housing (sec. 515)	(99,000)	---	(100,000)	(+1,000)	(+100,000)
Site loans (sec. 524)	(5,000)	(5,045)	(5,045)	(+45)	---
Multi-family housing guarantees (sec. 538)	(99,000)	(197,997)	(100,000)	(+1,000)	(-97,997)
Multi-family housing credit sales	(1,485)	(1,482)	(1,482)	(-3)	---
Single family housing credit sales	(10,000)	(10,000)	(10,000)	---	---
Self-help housing land develop. (sec. 523)	(4,998)	(4,980)	(4,980)	(-18)	---
Total, Loan authorizations	(5,027,750)	(5,057,622)	(5,059,625)	(+31,875)	(+2,003)

AGRICULTURE-RURAL DEVELOPMENT-FOOD AND DRUG ADMINISTRATION AND RELATED AGENCIES APPROPRIATIONS (H.R. 5384)
(Amounts in thousands)

	FY 2006 Enacted	FY 2007 Request	Bill	Bill vs. Enacted	Bill vs. Request
Loan subsidies:					
Single family direct (sec. 502)	128,638	124,121	124,121	-4,517	---
Unsubsidized guaranteed	40,491	7,772	7,772	-32,719	---
Subtotal, Single family	169,129	131,893	131,893	-37,236	---
Housing repair (sec. 504)	10,136	10,751	10,751	+615	---
Rental housing (sec. 515)	45,421	---	45,670	+249	+45,670
Multi-family housing guarantees (sec. 538)	5,366	15,325	7,740	+2,374	-7,585
Multi-family housing credit sales	674	672	672	-2	---
Single family housing credit sales	---	48	48	+48	---
Self-help housing land develop. (sec. 523)	51	123	123	+72	---
Multi-family housing preservation	8,910	---	---	-8,910	---
Total, Loan subsidies	239,687	158,812	196,897	-42,790	+38,085
RHIF administrative expenses (transfer to RD)	450,261	455,776	430,080	-20,181	-25,696
Rental assistance program:					
(Sec. 521)	638,651	486,320	329,500	-309,151	-156,820
(Sec. 502(c)(5)(D))	7,920	---	5,900	-2,020	+5,900
Total, Rental assistance program	646,571	486,320	335,400	-311,171	-150,920
Total, Rural Housing Insurance Fund	1,336,519	1,100,908	962,377	-374,142	-138,531
(Loan authorization)	(5,027,750)	(5,057,622)	(5,059,625)	(+31,875)	(+2,003)
Rural housing voucher program	15,840	---	---	-15,840	---
Multifamily housing revitalization program account	---	74,250	28,000	+28,000	-46,250
MHRP administrative expenses (transfer to RD)	---	---	990	+990	+990
Total, Multifamily housing revitalization	---	74,250	28,990	+28,990	-45,260
Mutual and self-help housing grants	33,660	37,620	37,620	+3,960	---
Rural housing assistance grants	43,536	40,590	40,590	-2,946	---
Farm labor program account	30,856	33,798	47,525	+16,669	+13,727
Subtotal, grants and payments	108,052	112,008	125,735	+17,683	+13,727
Total, Rural Housing Service	1,460,411	1,287,166	1,117,102	-343,309	-170,064
(Loan authorization)	(5,027,750)	(5,057,622)	(5,059,625)	(+31,875)	(+2,003)
Rural Business-Cooperative Service:					
Rural Development Loan Fund Program Account:					
(Loan authorization)	(33,870)	(33,925)	(33,925)	(+55)	---
Loan subsidy	14,571	14,951	14,951	+380	---
Administrative expenses (transfer to RD)	4,745	4,950	4,780	+35	-170
Total, Rural Development Loan Fund	19,316	19,901	19,731	+415	-170
Rural Economic Development Loans Program Account:					
(Loan authorization)	(24,752)	(34,652)	(34,652)	(+9,900)	---
Direct subsidy	4,943	7,568	7,568	+2,625	---
Rural cooperative development grants	29,193	27,225	9,913	-19,280	-17,312
Rural empowerment zones and enterprise communities grants	11,088	---	11,088	---	+11,088
Renewable energy program	22,770	10,163	20,000	-2,770	+9,837
Total, Rural Business-Cooperative Service	87,310	64,857	68,300	-19,010	+3,443
(Loan authorization)	(58,622)	(68,577)	(68,577)	(+9,955)	---

AGRICULTURE-RURAL DEVELOPMENT-FOOD AND DRUG ADMINISTRATION AND RELATED AGENCIES APPROPRIATIONS (H.R. 5384)
(Amounts in thousands)

	FY 2006 Enacted	FY 2007 Request	Bill	Bill vs. Enacted	Bill vs. Request
Rural Utilities Service:					
Rural Electrification and Telecommunications Loans Program Account:					
Loan authorizations:					
Electric:					
Direct, 5%	(99,000)	(99,018)	(99,018)	(+18)	---
Direct, Municipal rate	(99,000)	(39,602)	(99,000)	---	(+59,398)
Direct, FFB	(2,600,000)	(3,000,000)	(3,000,000)	(+400,000)	---
Direct, Treasury rate	(990,000)	(700,000)	(990,000)	---	(+290,000)
Guaranteed electric	(99,000)	---	---	(-99,000)	---
Guaranteed underwriting	(1,500,000)	---	(500,000)	(-1,000,000)	(+500,000)
Subtotal, Electric	(5,387,000)	(3,838,620)	(4,688,018)	(-698,982)	(+849,398)
Telecommunications:					
Direct, 5%	(145,000)	(143,513)	(143,513)	(-1,487)	---
Direct, Treasury rate	(419,760)	(246,666)	(246,666)	(-173,094)	---
Direct, FFB	(125,000)	(299,000)	(299,000)	(+174,000)	---
Subtotal, Telecommunications	(689,760)	(689,179)	(689,179)	(-581)	---
Total, Loan authorizations	(6,076,760)	(4,527,799)	(5,377,197)	(-699,563)	(+849,398)
Loan subsidies:					
Electric:					
Direct, 5%	911	2,119	2,119	+1,208	---
Direct, Municipal rate	5,000	598	1,495	-3,505	+897
Guaranteed electric	89	---	---	-89	---
Direct, Treasury rate	99	---	---	-99	---
Subtotal, Electric	6,099	2,717	3,614	-2,485	+897
Telecommunications:					
Direct, 5%	---	531	531	+531	---
Direct, Treasury rate	210	74	74	-136	---
Subtotal, Telecommunications	210	605	605	+395	---
Total, Loan subsidies	6,309	3,322	4,219	-2,090	+897
RETLP administrative expenses (transfer to RD)	38,396	39,600	39,101	+705	-499
Total, Rural Electrification and Telecommunications Loans Program Account	44,705	42,922	43,320	-1,385	+398
(Loan authorization)	(6,076,760)	(4,527,799)	(5,377,197)	(-699,563)	(+849,398)
Rural Telephone Bank Program Account:					
RTB administrative expenses (transfer to RD)	2,475	---	---	-2,475	---
Total, Rural Telephone Bank Program Account	2,475	---	---	-2,475	---
High energy costs grants (by transfer)	(26,000)	---	---	(-26,000)	---
Distance learning, telemedicine, and broadband program:					
Loan authorizations:					
Distance learning and telemedicine	(24,750)	---	---	(-24,750)	---
Broadband telecommunications	(495,000)	(356,419)	(503,535)	(+8,535)	(+147,116)
Total, Loan authorizations	(519,750)	(356,419)	(503,535)	(-16,215)	(+147,116)
Loan subsidies:					
Distance learning and telemedicine:					
Direct	371	---	---	-371	---
Grants	29,700	24,750	24,750	-4,950	---

AGRICULTURE-RURAL DEVELOPMENT-FOOD AND DRUG ADMINISTRATION AND RELATED AGENCIES APPROPRIATIONS (H.R. 5384)
(Amounts in thousands)

	FY 2006 Enacted	FY 2007 Request	Bill	Bill vs. Enacted	Bill vs. Request
Broadband telecommunications:					
Direct	10,643	10,826	10,826	+183	---
Grants	8,910	---	8,910	---	+8,910
Total, Loan subsidies and grants	49,624	35,576	44,486	-5,138	+8,910
Total, Rural Utilities Service	96,804	78,498	87,806	-8,998	+9,308
(Loan authorization)	(6,596,510)	(4,884,218)	(5,880,732)	(-715,778)	(+996,514)
Total, title III, Rural Economic and Community Development Programs	2,503,055	2,202,847	2,156,653	-346,402	-46,194
(By transfer)	(521,877)	(500,326)	(474,951)	(-46,926)	(-25,375)
(Loan authorization)	(11,682,882)	(10,010,417)	(11,008,934)	(-673,948)	(+998,517)
TITLE IV - DOMESTIC FOOD PROGRAMS					
Office of the Under Secretary for Food, Nutrition and Consumer Services	593	732	652	+59	-80
Food and Nutrition Service:					
Child nutrition programs	7,473,208	7,763,200	7,610,897	+137,689	-152,303
Transfer from section 32	5,187,621	5,582,287	5,734,590	+546,969	+152,303
Contingency reserve	---	300,000	---	---	-300,000
Total, Child nutrition programs	12,660,829	13,645,487	13,345,487	+684,658	-300,000
Special supplemental nutrition program for women, infants, and children (WIC)	5,204,430	5,200,000	5,244,000	+39,570	+44,000
Food stamp program:					
Expenses	36,045,026	33,186,215	33,159,215	-2,885,811	-27,000
Indian reservations (FDPIR)	2,970	---	---	-2,970	---
Armed forces provision	1,000	1,000	1,000	---	---
Reserve	3,000,000	3,000,000	3,000,000	---	---
Nutrition assistance for Puerto Rico and Samoa	1,522,369	1,565,016	1,565,016	+42,647	---
The emergency food assistance program	140,000	140,000	140,000	---	---
CSFP transitional benefit	---	21,000	---	---	-21,000
CSFP nutrition education	---	2,000	---	---	-2,000
CSFP food Stamp expenses	---	19,000	---	---	-19,000
Total, Food stamp program	40,711,365	37,934,231	37,865,231	-2,846,134	-69,000
Commodity assistance program	177,572	70,370	189,370	+11,798	+119,000
Nutrition programs administration	139,353	160,429	142,314	+2,961	-18,115
Total, Food and Nutrition Service	58,893,549	57,010,517	56,786,402	-2,107,147	-224,115
Total, title IV, Domestic Food Programs	58,894,142	57,011,249	56,787,054	-2,107,088	-224,195
TITLE V - FOREIGN ASSISTANCE AND RELATED PROGRAMS					
Foreign Agricultural Service:					
Salaries and expenses, direct appropriation	146,422	157,486	156,486	+10,064	-1,000
(Transfer from export loans)	(3,406)	(4,985)	(4,985)	(+1,579)	---
(Transfer from P.L. 480)	(166)	---	---	(-166)	---
Total, Salaries and expenses program level	(149,994)	(162,471)	(161,471)	(+11,477)	(-1,000)
Public Law 480 Program and Grant Accounts:					
Program account:					
Loan authorization, direct	(74,032)	---	---	(-74,032)	---
Loan subsidies	64,390	---	---	-64,390	---
Ocean freight differential grants	11,821	---	---	-11,821	---
Title II - Commodities for disposition abroad:					
Program level	(1,138,500)	(1,218,500)	(1,223,100)	(+84,600)	(+4,600)

AGRICULTURE-RURAL DEVELOPMENT-FOOD AND DRUG ADMINISTRATION AND RELATED AGENCIES APPROPRIATIONS (H.R. 5384)
(Amounts in thousands)

	FY 2006 Enacted	FY 2007 Request	Bill	Bill vs. Enacted	Bill vs. Request
Appropriation	1,138,500	1,218,500	1,223,100	+84,600	+4,600
Salaries and expenses:					
Foreign Agricultural Service (transfer to FAS)	166	---	---	-166	---
Farm Service Agency (transfer to FSA)	3,185	2,651	2,651	-534	---
Subtotal	3,351	2,651	2,651	-700	---
Total, Public Law 480:					
Program level	(1,138,500)	(1,218,500)	(1,223,100)	(+84,600)	(+4,600)
Appropriation	1,218,062	1,221,151	1,225,751	+7,689	+4,600
CCC Export Loans Program Account (administrative expenses):					
Salaries and expenses (Export Loans):					
General Sales Manager (transfer to FAS)	3,406	4,985	4,985	+1,579	---
Farm Service Agency (transfer to FSA)	1,821	346	346	-1,475	---
Total, CCC Export Loans Program Account	5,227	5,331	5,331	+104	---
McGovern-Dole international food for education and child nutrition program grants	99,000	99,000	100,000	+1,000	+1,000
Total, title V, Foreign Assistance and Related Programs	1,468,711	1,482,968	1,487,568	+18,857	+4,600
(By transfer)	(3,572)	(4,985)	(4,985)	(+1,413)	---
TITLE VI - RELATED AGENCIES AND FOOD AND DRUG ADMINISTRATION					
DEPARTMENT OF HEALTH AND HUMAN SERVICES					
Food and Drug Administration					
Salaries and expenses, direct appropriation	1,466,801	1,540,399	1,538,452	+71,651	-1,947
Prescription drug user fee act	(305,332)	(320,600)	(320,600)	(+15,268)	---
Medical device user fee act	(40,300)	(43,726)	(43,726)	(+3,426)	---
Animal drug user fee act	(11,318)	(11,604)	(11,604)	(+286)	---
Reinspection fees (user fees) (leg. prop) NA	---	(22,000)	---	---	(-22,000)
Food export fees (user fees) (leg. prop) NA	---	(3,536)	---	---	(-3,536)
Subtotal	(1,823,751)	(1,916,329)	(1,914,382)	(+90,631)	(-1,947)
Mammography clinics user fee (outlay savings)	(17,173)	---	(17,522)	(+349)	(+17,522)
Export and color certification	(7,640)	---	(8,481)	(+841)	(+8,481)
Payments to GSA	(134,853)	---	(146,013)	(+11,160)	(+146,013)
Buildings and facilities	7,920	4,950	4,950	-2,970	---
Total, Food and Drug Administration	1,474,721	1,545,349	1,543,402	+68,681	-1,947
INDEPENDENT AGENCIES					
Commodity Futures Trading Commission	97,402	127,000	109,402	+12,000	-17,598
Transaction fees (user fees) (leg. prop) NA	---	(127,000)	---	---	(-127,000)
Farm Credit Administration (limitation on administrative expenses)	(44,250)	---	(44,250)	---	(+44,250)
Total, title VI, Related Agencies and Food and Drug Administration	1,572,123	1,672,349	1,652,804	+80,681	-19,545
TITLE VII - GENERAL PROVISIONS					
Hunger fellowships (sec. 716)	2,500	---	2,500	---	+2,500
National Sheep Industry Improvement Center revolving fund (sec. 717)	1,238	---	250	-988	+250
Denali Commission	743	---	---	-743	---

AGRICULTURE-RURAL DEVELOPMENT-FOOD AND DRUG ADMINISTRATION AND RELATED AGENCIES APPROPRIATIONS (H.R. 5384)
(Amounts in thousands)

	FY 2006 Enacted	FY 2007 Request	Bill	Bill vs. Enacted	Bill vs. Request
Section 32 (rescission) (sec. 740)	-37,601	---	-9,900	+27,701	-9,900
Milk processing and packaging facilities	644	---	---	-644	---
Alaska private lands wildlife management	198	---	---	-198	---
Livestock Expo Center	990	---	---	-990	---
Wisconsin Federation of Cooperatives	2,228	---	---	-2,228	---
WIC contingency reserve (rescission)	-32,000	---	---	+32,000	---
Specialty crop grants (sec. 736)	6,930	---	15,600	+8,670	+15,600
SFSP Summer food service program	1,000	---	---	-1,000	---
Healthy Forest Reserve	2,475	---	---	-2,475	---
Fruit and vegetable pilot program (sec. 738)	6,000	---	25,000	+19,000	+25,000
World food prize	347	---	---	-347	---
Utah State	198	---	---	-198	---
University of Nevada	139	---	---	-139	---
Ohio State University	396	---	---	-396	---
Nueces County	495	---	---	-495	---
IRP Choctaw	990	---	---	-990	---
High energy cost grants (rescission) (sec. 744)	---	-25,265	-25,265	-25,265	---
MILC extension (sec. 752)	---	---	40,000	+40,000	+40,000
Total, title VII, General provisions	-42,090	-25,265	48,185	+90,275	+73,450
OTHER APPROPRIATIONS					
EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT TO ADDRESS HURRICANES IN THE GULF OF MEXICO AND PANDEMIC INFLUENZA, 2006 (P.L.109-148, DIVISION B)					
TITLE I, CHAPTER 1					
Department of Agriculture					
Executive Operations, Working capital fund (emerg.)	35,000	---	---	-35,000	---
Agricultural Research Service					
Buildings and facilities (emergency)	9,200	---	---	-9,200	---
Rural Development					
Rural community advancement program (emergency)	45,000	---	---	-45,000	---
Rural Housing Service					
Rural housing insurance fund program (emergency)	45,000	---	---	-45,000	---
Rural housing assistance grants (emergency)	20,000	---	---	-20,000	---
Rural Utilities Service					
Rural electrification and telecom (emergency)	8,000	---	---	-8,000	---
Food and Nutrition Service					
Commodity assistance program (emergency)	4,000	---	---	-4,000	---
The emergency food assistance program (emergency)	6,000	---	---	-6,000	---
General Provisions					
Emergency conservation program (emergency)	199,800	---	---	-199,800	---
Watershed and flood prevention operations (emergency)	300,000	---	---	-300,000	---
Emergency forestry conservation reserve program	50,000	---	---	-50,000	---
Total, Title I, Chapter 1 (emergency)	722,000	---	---	-722,000	---

AGRICULTURE-RURAL DEVELOPMENT-FOOD AND DRUG ADMINISTRATION AND RELATED AGENCIES APPROPRIATIONS (H.R. 5384)
(Amounts in thousands)

	FY 2006 Enacted	FY 2007 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE II, CHAPTER 1					
Department of Agriculture					
Office of the Secretary (emergency)	11,350	---	---	-11,350	---
Agricultural Research Service					
Salaries and expenses (emergency)	7,000	---	---	-7,000	---
Cooperative State Research, Education, and Extension Service					
Research and educational activities (emergency)	1,500	---	---	-1,500	---
Animal and Plant Health Inspection Service					
Salaries and expenses (emergency)	71,500	---	---	-71,500	---
Department of Health and Human Services					
Salaries and expenses (emergency)	20,000	---	---	-20,000	---
*Total, Title II, Chapter 1 (emergency)	111,350	---	---	-111,350	---
TITLE III, CHAPTER 1					
Department of Agriculture					
Natural Resources Conservation Service: Conservation Operations (rescission)	-10,000	---	---	+10,000	---
Rural Utilities Service					
Distance Learning, Telemedicine, and Broadband direct loan financing (rescission)	-9,900	---	---	+9,900	---
Food and Nutrition Service: Food Stamp Program (rescission)	-11,200	---	---	+11,200	---
Foreign Agricultural Service					
Public Law 480 Title I Ocean Freight Differential Grants (rescission)	-35,000	---	---	+35,000	---
Total, Title III, Chapter 1 (rescissions)	-66,100	---	---	+66,100	---
Total, Public Law 109-148	767,250	---	---	-767,250	---
Emergency appropriations	833,350	---	---	-833,350	---
(Rescissions)	(-66,100)	---	---	(+66,100)	---
Total, Other appropriations	767,250	---	---	-767,250	---
Grand total	101,561,146	93,312,118	93,569,619	-7,991,527	+257,501
Appropriations	(100,863,497)	(93,337,383)	(93,604,784)	(-7,258,713)	(+267,401)
Emergency Appropriations	833,350	---	---	-833,350	---
Rescissions	(-135,701)	(-25,265)	(-35,165)	(+100,536)	(-9,900)
(By transfer)	(832,000)	(824,605)	(790,271)	(-41,729)	(-34,334)
(Loan authorization)	(15,504,718)	(13,437,887)	(14,560,798)	(-943,920)	(+1,122,911)
(Limitation on administrative expenses)	(157,380)	(109,674)	(153,924)	(-3,456)	(+44,250)

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

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

Mr. Chairman, let me first thank you and Mr. OBEY, as well as Chairman LEWIS, all of whom I have been pleased to work with on this bill. In particular it is a pleasure to join the chairman again as we bring to the floor our second and final agriculture appropriations bill together. As before, this has been a good process, one in which we have made substantial progress on many issues.

As I have said before, I want to take a moment to recognize that this is not only the last time this bill will be considered on the House floor under Mr. BONILLA's management, but also his last year of service on our subcommittee. He has served as chairman with distinction and carried out his responsibilities to this subcommittee with a real sense of determination and focus. So I thank you, and it has been a pleasure to work with you.

This is always an important bill, from public health and the FDA, to rural development and food safety, to environmental conservation and nutrition assistance, to investing in renewable sources of energy.

The mission of the Agriculture Appropriations Subcommittee is, at its core, about improving people's lives; and I think the subcommittee has produced a bill overall that we can be proud of.

There are several areas in particular that have been improved from the President's request. For one, the bill includes increased funding for the Commodity Supplemental Food Program and the Specialty Crops Program on which so many of our farmers rely. The bill restores the section 515 Housing Program and included $25 million for a National Fresh Fruit and Vegetable Program.

In addition, we have turned aside several misguided proposals by the administration not included in this bill, including proposals that would have changed funding for the Agriculture Research Institutions and capped WIC administrative funds.

We also made some progress during the markup. I appreciate the chairman's willingness to increase funding for the Office of Generic Drugs, bringing that up to $5 million. This will help to reduce the backlog of generic drug applications and in turn contribute to reducing the price of prescription drugs.

I was pleased that the committee accepted an amendment that I offered to give the FDA the authority to mandate post-market drug studies when needed. With 65 percent of the post-market studies pending, it is clear that the system FDA has in place is broken and must be fixed. As such, giving FDA the authority to mandate post-market drug studies and authorizing the agency to begin proceedings that would move a drug from the market, should the drug company refuse to carry out its responsibility, is a critical part of the drug safety process.

I was also pleased that this subcommittee accepted language preventing the implementation of a final rule by USDA to allow processed chicken products from China to enter the United States. We all know China has massive problems with avian influenza in its chicken population. Only hours after the Food Safety and Inspection Service announced it would allow the imports from China, claiming these products would be safe because they will be fully processed and cooked, a Tennessee firm announced the recall of more than 20,000 pounds of breaded chicken due to possible undercooking. Stopping that process from going forward was a good decision.

I do think that there are some areas where the bill falls short. While I know we cannot do everything we want to in this bill, I believe that many Members will be disappointed to see that, for instance, we could not fund a pilot program to look at the impact of eliminating the Reduced Price Meal Program that requires children from low-income working families to pay 40 cents per lunch and 30 cents per breakfast. If a family qualifies for free WIC benefits, they should qualify for free school meals as well. I wish we had found the money to make that pilot program happen, even if only as a pilot program.

I am also disappointed that we failed to substantially increase the funding for the McGovern-Dole International Food Program which is funded in this bill at $100 million, an increase of a mere $1 million over last year's bill and the budget request. This program fights child hunger in the world's poorest countries, while expanding educational opportunities for children; and it has a proven track record. It should have been a priority in this bill.

Lastly, we missed a golden opportunity with this bill to jump-start the country's energy independence efforts by seriously and aggressively funding the many programs in this bill that deal with renewable energy. I offered an amendment that was defeated on a roll call vote of 24–36 to our commitment to renewable energy and rural development by $500 million. It is time to be bold about energy independence; and this bill is an appropriate place to start doing that, which is why I intend to offer this amendment again before the full House.

I look forward to debating this bill today, Mr. Chairman, and I want to say thank you to you and your staff as well as staff on our side of the aisle for working so hard to put together the bill before us. As I have said throughout the process, barring any unexpected developments, it is my intention to support this bill.

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

Mr. BONILLA. Mr. Chairman, I yield such time as he may consume to the gentleman from California (Mr. LEWIS), the distinguished chairman of the full committee.

Mr. LEWIS of California. Mr. Chairman, I rise in support of H.R. 5384, the agriculture appropriations bill for the year 2007. This is the third of 11 bills the committee plans to bring to the House floor before the 4th of July break.

I want to especially praise Chairman BONILLA and Ranking Member DELAURO, as well as members of the Agriculture Subcommittee and their staff, for the very fine work done on this bill.

In total, this measure provides $18.4 billion in total discretionary spending. This level represents a decrease, that is a decrease, of $96 million below the FY 2006 enacted level. The bill contains critical funding to protect health and safety, fulfill our commitment to important food and nutrition programs and support farmers and ranchers, as well as rural America.

I would like to make, Mr. Chairman, two additional points about the measure. First, the bill before us today includes $435 million in Member-project funding, which is $35 million below, that is, below last year's House-bill level. It is $277 million below last year's House-Senate conference report as well.

This bill also terminates eight programs resulting in $414 million in taxpayer savings; eight programs, $414 million in taxpayer savings.

Mr. Chairman, this agriculture bill is Mr. BONILLA's last bill as chairman of this subcommittee; and to say the least, this bill is a very fine product, and it is worthy of our support.

I want to commend Mr. BONILLA and certainly Ms. DELAURO, as well, for their work on this very fine measure. Indeed, it is a reflection of the best work of our committee. Mr. BONILLA is to be congratulated for his service as chairman of the committee.

Ms. DELAURO. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Chairman, I want to renew my comments on something that is likely to happen here later with respect to the dairy program; but before I do that, in the unlikely event that anybody in any of the congressional offices is listening, I hope they understand that there are at least 50 amendments pending to this bill. If we only take 10 minutes on each of those amendments and if we only have votes on about half of them, we will be here until about 2 or 3 o'clock in the morning. So I hope that Members will not expect us to have a schedule which allows them to go to supper and allows them to do other work around here and, at the same time, expect the committee to get us out of here before the wee hours of the morning. If all of these amendments are offered, that just isn't going to happen.

Let me say, Mr. Chairman, that I want to once again take note of the

fact that because the Rules Committee chose not to protect a provision in this bill that is very important to small dairy farmers around the country, we face the likelihood that a point of order will be lodged against section 752 of this bill. That section is meant to correct a major flaw in the authorization bill that was amended last year.

Under existing law, supplemental payments to dairy farmers, the so-called MILC program, will expire 1 month before the other major commodities programs expire in the existing farm bill.

□ 1215

What that means in practical terms is that there will be no dairy component in the budget baseline when the next farm bill is considered by the authorizing committee.

If that happens, we are guaranteeing that there will be fewer dollars in the Federal budget that will be flowing to rural America than would otherwise be the case. If people think it is a good idea for rural America to voluntarily relinquish any portion of their share of the Federal budget, then by all means they should be enthusiastic about the point of order.

If they do not, then I think they ought to ask the authorizing committee chairman not to make that point of order. I would point out that the provision in this bill which extends that MILC program for 1 month so that we can correct that budget baseline problem. I should point out that that provision is supported by the Midwest Dairy Coalition, the Northeast Dairy Producers, including Connecticut, Delaware, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island and Vermont. It is supported by the New York Farm Bureau, by the National Farmers Union, by the Wisconsin Farm Bureau, and by a good many other farmers around the country.

Mr. Chairman, I would simply say that if that point of order is lodged, and if this bill therefore does not carry that correcting provision, it will not just be dairy farmers who are hurt, it will also mean that if a dairy program is continued, financing for that program will have to come out of the base for each of the other farm groups.

That is a great recipe for having a regional war between different farm groups, and it is a great recipe for having a war between various commodity groups in the agriculture community. So I would urge the majority party leadership to prevail upon the chairman of the Agriculture Committee not to make that point of order, because, if he does, we are not going to be able to fix this problem and dairy farmers are going to be at a huge disadvantage when the next farm bill is written.

Mr. BONILLA. Mr. Chairman, I yield 3 minutes to the gentlemen from Georgia (Mr. KINGSTON).

Mr. KINGSTON. Mr. Chairman, I want to thank the chairman of the committee, Mr. BONILLA, for the great job that he has done, and the leadership that he has provided. And I thank my friend, ROSA DELAURO, for all the good work that she has done and the bipartisan cooperation that we have had on this bill. We don't agree on everything, but we agree on ag policy and trying to look out for the farmers together, and all of the various commodities and programs that are in this important bill. And this is certainly one of the greatest subcommittees in Congress.

Mr. Chairman, farmers today have lots of challenges, financing. Long-term financing for farmers, they can't get loans the way business people can get loans. They have problems with labor. The immigration issue is the hot issue of the day right now. Well, it has been a hot issue down on the farm for years as they have tried to get labor who will go out there in the hot sunshine and pick apples and pick peaches and pick onions, and trying to work with the H2A program that can be very difficult to comply with.

And while farmers are trying to work with H2A, along comes legal services funded by the Federal Government and suing farmers for technical violations often and not really substantive violations.

They have problems with environmental issues, in that we have very strict EPA laws, which their international competitors do not always have. And Ms. KAPTUR, our friend from Ohio, often talks to us about Ohio tomatoes. And yet we know in Mexico they make tomatoes that can be competitive with those of Ohio tomatoes, but they do not have to follow the same labor or environmental laws.

Mr. Chairman, that is just one of the examples. And then we talk about unfair trade practices and what is subsidized and what is not. And so often the WTO, which is an organization most Americans do not even know about; yet the farmers, they are very mindful of what the WTO is up to, because so often the rulings seem to come down against American farmers.

Mr. Chairman, despite everything that farmers are up against, our food program and our food supply is the best any world has ever seen, any nation in the world at any time. Americans spend 11 cents on the dollar on groceries. We spend 43 cents on the dollar on recreation, from skiing to jet skiing, to boats, to fishing to buying CDs and going to movies and shows; we spend 43 cents on the dollar, but only 11 cents on the dollar for food. And for that, we have fruit all year long. We have meat in great abundance at low prices all year long. We have, as Mr. OBEY knows well, milk. And there used to be milk shortages all over the country. And yet we do not have those kinds of shortages anymore. We do have a very complex, hard-to-explain agriculture system in America, and yet the product on the shelf in the grocery stores across America beats all in the world.

We need to all support this bill. It is a bipartisan bill. It is well thought out, well debated. There are going to be things I am going to comment on later on.

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

Mr. MARSHALL. Mr. Chairman, I want to thank Mr. KINGSTON for all he has done on behalf of peanuts and milk. In the authorizing committee, we failed to extend the peanut program storage and handling fees for the year it needed to be extended, at the end of this farm program. And we also failed to extend the milk program, that 1 month that is necessary, according to Mr. OBEY and others, to establish an appropriate baseline where milk is concerned and an appropriate baseline where peanuts are concerned, peanut storage and handling.

Anticipating that a point of order might be made, Mr. Chairman, and I am not sure that it would be made by the chairman of the authorizing committee or someone else, we have put together a letter to the chairman, Chairman GOODLATTE, asking that he support the two bipartisan amendments made in the appropriations committee with regard to these two issues, the peanut storage and handling fees issue and the milk program issue that was spoken about by Mr. OBEY.

Mr. Chairman, 26 members of the 46 members of the committee have signed on. Mr. Chairman, it seems to me the real question will be whether or not somehow the Appropriations Committee is inappropriately treading on the authority of the authorizing committee. Here you have a majority of the members of the authorizing committee saying that they think that the Appropriations Committee is acting properly with regard to these two issues, and they would request that the point of order be denied.

Mr. BONILLA. Mr. Chairman, I yield myself such time as I may consume for the purpose of entering into a colloquy with the gentlemen from New Jersey (Mr. GARRETT). I now yield to Mr. GARRETT.

Mr. GARRETT of New Jersey. Mr. Chairman, I appreciate the opportunity to enter into a colloquy with the gentlemen from Texas, the chairman of the subcommittee.

Also, before I begin, I just want to thank the chairman for all of your hard work that you put into the committee and into this bill, and all of the members of the committee.

And may I also echo the words as far as those members of the committee and the staff who do not normally get their names mentioned on the floor for their work; as the former chairman, I know there are many people behind the scenes that do not get recognized and I appreciate your recognizing those people of your committee.

Mr. Chairman, at this time I also want to voice my strong support of the Farm and Ranchland Preservation Program. The chairman may know that I

grew up on my family farm in the State of New Jersey; it is the Garden State. We are the most densely populated State in the country. And for that reason, trying to preserve open space and farmland was one of the main reasons why I went into government 12 years ago on the state level and here in the Congress as well.

And so I support strongly The National Farm and Ranchland Preservation Program and its work to contain, to preserve environmentally sensitive pieces of property in the Fifth Congressional District.

It is my hope that the chairman would continue to work closely with myself and the Department of Agriculture, so that we can move forward to see to it that as much of this property can be preserved for future generations.

Mr. BONILLA. If the gentleman would yield, I thank the gentlemen for his comments and pledge to work closely with him and the Department of Agriculture moving forward to see that any eligible environmentally sensitive farmland is given full and adequate consideration as this bill continues through the legislative process and as the Department establishes its priorities for the Farm and Ranchland Preservation Program for fiscal year 2007.

Mr. GARRETT of New Jersey. I thank the gentlemen for his support.

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

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

Ms. WOOLSEY. Mr. Chairman, I want to thank Chairman BONILLA and Ranking Member DELAURO for their hard work on this bill, particularly their work on the school meal and WIC program.

While I appreciate the increase in funding, I sincerely hope that we can do even better in conference on the WIC program and on the school meal program.

I also appreciate that the committee rejected a number of President Bush's requests that would have harmed the women and children who benefit from WIC. The President's proposed cap on nutrition counseling and on education for WIC recipients would limit both essential services for WIC families and for the States' abilities to negotiate cost savings with food producers.

The President also asked to limit WIC eligibility for any Medicaid recipients. These are only some of the examples that the President would have listed in his neverending effort to pay for tax cuts for the wealthiest Americans, with benefit cuts for the most vulnerable Americans.

As I say, I honor the Chair and the ranking member for not letting that happen. I am proud to have led a bipartisan effort in opposition to those proposals, and I thank the committee again for rejecting them.

Finally, Mr. Chairman, I thank the committee for its promise to continue to monitor the WIC caseload to ensure that funding remains sufficient to meet the needs. I ask the committee to also monitor, as I will, USDA's implementation of its cost containment regulations.

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

Ms. DELAURO. Mr. Chairman, can you tell us, please, how much time remains on the bill.

The Acting CHAIRMAN. The gentlewoman has 17½ minutes remaining.

Ms. DELAURO. Mr. Chairman, I yield 3 minutes to the gentleman from Minnesota (Mr. PETERSON).

Mr. PETERSON of Minnesota. Mr. Chairman, I thank the gentlewoman for yielding me time.

Mr. Chairman, I rise today to I guess reluctantly support the bill. I have been looking over the provisions, and I think that while I commend Chairman BONILLA and Ranking Member DELAURO for their work, given the constraints that they have been placed under, but I do have some concerns that I would like to raise.

You know, in the last farm bill, 2002 Farm Bill, we made a significant shift in the biggest increases that we placed in the 2002 Farm Bill were in the conservation programs.

And we have some limitations that have been put in the bill that have been protected against a point of order, that I have some concerns about and other people across the country have concerns about.

Our Wetlands Reserve Program, which I think has been one of the most successful programs that we have implemented and was part of the 2002 farm bill, we are going to be further limiting the level to 144,000 acres.

This is a program that has a substantial backlog. We have a lot of folks out there that are ready to go and put their land into the Wetlands Reserve Program and, you know, just does not seem logical that we would eliminate it given the amount of interest that is out there in the countryside.

The EQUIP Program was another program that we substantially increased in the 2002 farm bill. And again, we have many more requests than we have money and authorization. And we are going to have some further limitations in that area as well, as well as the CSP program, the WHIP program and some others.

So I just want to raise my concern about those limitations and I guess my displeasure from the authorizing committee point of view that the appropriators would be limiting the work of the Agriculture Committee that has spent a lot of time looking into them.

□ 1230

I would also like to follow up on the comments of Mr. OBEY regarding the milk program. Wherever you are at on that particular issue, I think this does have implications out into the next farm bill.

I know in our part of the country this is a popular program. In the west it is not popular. But eliminating this baseline is going to make it more difficult for us as we do the next farm bill next year, and it could come back to haunt some folks in the dairy area potentially given how that all plays out.

The peanut provision which also was not protected is something that was worked out in the last farm bill and is important to a lot of folks that had to have a substantial change in that program, and I just do not think it is right to end that program a year early. It would make more sense, I think, to continue it to the ends of the bill.

I am going to support this bill today. I commend the chairman and the ranking member for their work, and I look forward to the debate.

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

Ms. DELAURO. Can I ask the gentleman from Texas if he has any additional speakers.

Mr. BONILLA. At this time I do not.

Ms. DELAURO. Neither do we.

With that, my comment is I think that we will just proceed to the amendments, and I hope that with that process we can make the bill better.

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

Mr. BONILLA. Mr. Chairman, once again, just to comment on how many prudent recommendations were made to put this bill together and it has been a very good product that we have come to the floor with today, and we hope that all Members would support it without any amendments.

Mr. LEVIN. Mr. Chairman, I rise in support of H.R. 5384, the Fiscal Year 2007 Agriculture Appropriations Act. In particular, I am pleased that funding for the Commodity Supplemental Food Program, or CSFP, has been restored in this bill.

In yet another example of the Administration's upside-down priorities, the President's request proposed eliminating CSFP. Last year, in Michigan alone, almost 76,000 low income seniors, mothers and children received much-needed, nutritious food each month thanks to this funding and the hard work of organizations like Focus: Hope in Detroit.

I thank the Committee for responding to the outpouring of grassroots support for CSFP, and refusing to do away with this important program. The bill before us includes $118.3 million for CSFP, an increase of $11 million from the current level. Following the President's recommendation would have literally taken food from the mouths of seniors and children across the country. I hope our action here not only protects CSFP, but also sends a message to the President that cuts like this are not acceptable.

Mr. SIMPSON. Mr. Chairman, in accordance with earmark reform proposals currently under consideration in the House and Senate, I would like to place into the RECORD a listing of Congressionally-directed projects in my home state of Idaho that are contained within the report to this bill. These are projects that I asked the Agriculture Subcommittee to consider, both this year and in previous years, and I am grateful for their inclusion in this bill.

I'd like to take just a few minutes to describe why I supported these projects and why they are valuable to the nation and its taxpayers.

It is important to remember that the vast majority of these funds go to two entities.

First, the Cooperative State Research, Education, and Extension Service, CSREES, grants included below are targeted to our nation's Land Grant Colleges. In the case of Idaho, these funds are used by the University of Idaho to conduct research on a variety of crops important to the Pacific Northwest. I have also supported research in Washington and Oregon because their research is invaluable to my constituents as well.

In assessing the value of these requests, there are some important considerations that must be made. World labor standards and costs are far below those of the U.S. Our Nation's farmers are subjected to far more stringent environmental regulations than those of many of our competitors. Input costs in the U.S. far surpass those of other nations. And energy prices, including farm diesel, are rising dramatically.

So how can a U.S. farmer remain competitive in a global market? Through greater productivity and efficiency, increased yields, and better defenses against diseases. These are the very things that agriculture research funding delivers for U.S. producers—and for U.S. consumers.

If you want to rely on foreign nations for our food in the way we rely on them for our oil, then by all means eliminate these important agriculture research programs. But if you believe, as I do, that maintaining a domestic capability to produce our food is a national security issue, then you ought to support these research programs and fight for their continuation.

The second entity that receives the bulk of these funds is the Agriculture Research Service, ARS, and its stations across rural America. In Idaho, these institutions are conducting vital research into some of our most important crops—sugar, potatoes, small fruits, and aquaculture. I encourage all of my colleagues to visit an ARS station to see firsthand the value of this research. If you do, you will learn that these researchers are doing amazing things with very limited budgets. These projects are usually small in terms of their funding, but the benefits that flow from that research cannot be measured in dollars alone.

Two of the projects below are funded through the Animal and Plant Health Inspection Service, APHIS. These two programs are critical to combating brucellosis in bison and cattle and in assisting ranchers whose livestock are harassed and killed by predators like wolves.

The Greater Yellowstone Brucellosis funding is particularly critical to my home State of Idaho. Idaho recently lost its brucellosis free status and these funds are critical to establishing a management plan that will allow Idaho to regain its brucellosis free status.

The Tri-State Predator control funding is hardly a handout to ranchers. The federal government forced wolf reintroduction on Idaho and other western states and it is duty-bound to pay for the deadly and gruesome impacts of this decision.

The final project on this list is the Idaho One-Plan. The Idaho One-Plan is a unique collaboration of agencies, industries, and associations dedicated to assisting Idaho farmers and ranchers in their continuing natural resource stewardship responsibilities. The program was developed jointly with state and federal resource agencies, the University of Idaho Cooperative Extension program, the Environmental Protection Agency, and local commodity groups. It's a successful program that has enormous value to not only the Idaho agriculture community and the environment, but to other states that might be interested in a similar collaborative process.

Mr. Chairman, any effort to remove these projects from the bill would not only result in zero savings to taxpayers, it would stop dead these important efforts to enhance and protect our nation's food supply.

I appreciate the opportunity to provide a list of Congressionally-directed projects in my region and an explanation of my support for them.

1. ARS aquaculture research—Aberdeen ($628,843) pg. 17;
2. CSREES NW Small Fruits Research—ID, WA, OR ($443,000) pg. 36;
3. ARS Potato Breeding—Aberdeen ($365,156) pg. 18;
4. ARS Sugarbeet Research—Kimberly ($702,592) pg. 19;
5. ARS Sustainable Aquaculture Feeds—Aberdeen ($99,000) pg. 19;
6. ARS Viticulture—Corvallis, OR ($852,861) pg. 19;
7. CSREES Grain Legume Plant Pathologist—Pullman, WA ($244,125) pg. 20;
8. CSREES Alternative Crops—Canola ($1,175,000) pg. 33;
9. CSREES Aegilops Cylindricum—Goatgrass (WA, ID) ($355,000) pg. 34;
10. CSREES Cool Season Food Legume Research (ID, WA, ND) ($564,000) pg. 34;
11. CSREES Grass Seed Cropping/or Sustainable Agriculture (WA, ID, OR) ($450,000) pg. 35;
12. CSREES Increasing Shelf Life of Agricultural Commodities ($863,000) pg. 35;
13. CSREES Potato Research (national program) ($1,497,000) pg. 36;
14. CSREES STEEP III ($640,000) pg. 36;
15. CSREES Wood Utilization (multi-state) ($6,371,000) pg. 36;
16. APHIS Greater Yellowstone Brucellosis—ID, WY, MT ($10,455,000) pg. 72;
17. APHIS Tri-State Predator Control ($1,324,000) pg. 74;
18. NRCS Idaho One-Plan ($200,000) pg. 87.

Mr. RYAN of Wisconsin. Mr. Chairman, I rise today to support the Milk Income Loss Contract Program (MILC). Created under the 2002 Farm Bill, the MILC program has been a major success for Wisconsin dairy farmers. I believe it is inherently unfair to set the expiration date of the MILC program one month before the expiration of other farm bill programs. MILC should be on a level playing field with all other commodity programs, so that it will be dealt with equitably under the 2007 Farm Bill.

Mr. GUTKNECHT. Mr. Chairman, I rise today to support the FY 2007 Agriculture Appropriations bill. I am especially pleased with the funding levels prescribed for the Domestic Food Assistance programs such as the Commodity Supplemental Food Program CSFP) and the Women, Infants and Children (WIC) nutritional programs.

This year, the President proposed eliminating CSFP as part of his plan to streamline government services. Participants in this program were supposed to move to either the Food Stamps program or the WIC program. I disagreed with this proposal, and that is why I am pleased that my colleagues on the House Agriculture Appropriations Subcommittee chose to ignore the elimination proposal and instead increased funding for this program by $11 million above last year's level.

Under the House-passed bill, CSFP will get $118.3 million in fiscal 2007. It is my understanding and hope that the Senate will include a similar amount in its appropriations bill and that future conferees will protect this valuable program from elimination.

More than 2,000 seniors in my district depend on this important supplemental food program, which provides them a box of food staples once a month to seniors who are at or below 130 percent of the poverty level. Pregnant, breast feeding and postpartum women, infants and children up to age six also are eligible for CSFP if they are at or below 185 percent of federal poverty guidelines. For young children, the program is used as a bridge between their eligibility for WIC and their eligibility for free school lunches, which generally happens around age 6.

There is no doubt that CSFP works. In Minnesota, about 15,000 participants—85 percent of them seniors—receive a box of food at the beginning of each month. The box is about the size of a banana box and weighs about 60 pounds. Each box contains about $55 worth of pantry staples such as canned vegetables, fruit and meat, as well as evaporated milk, juice, rice and pasta. The foods are nutritionally balanced and approved by the U.S. Department of Agriculture.

Minnesota receives about $3.2 million each year to purchase these foods and deliver them to four food banks throughout the state. Volunteers then deliver the boxes to centralized distribution sites and in some cases to the front doors of home-bound seniors.

In Southeastern Minnesota, the Channel One Food Distribution Center in Rochester, delivers CSFP food packages to 1,750 participants in a 13 county area. The average income for a senior receiving CSFP assistance in this area is a meager $8,846 a year or $737 a month. That's why CSFP is so vital for our nation's low-income seniors, particularly those in rural America.

Seniors like Harriet Salisbury from Ceylon, Minnesota; Elsa Suter of Fairmont, Minnesota, and Edward Levy of Brownsdale, Minnesota, need these vital food packages. When the Administration proposed eliminating CSFP, these seniors took pen and paper in hand and let me know exactly what they thought about that proposal. They told me CSFP was their ''lifeline,'' and some even begged me to save this vital program from elimination.

Today, I am here to tell these seniors and thousands more across our nation that I know how important CSFP is to them, and that I will fight to save this vital program from elimination.

In conclusion, I want to thank Chairman BONILLA for his continued support for CSFP.

Mr. UDALL of Colorado. Mr. Chairman, I will vote for the bill H.R. 5384, the ''Agriculture, Rural Development, Food and Drug Administration, Appropriations Act of 2007.''

While the bill is a dramatic improvement from the request made by the Bush Administration it still does not fully meet the needs of rural Colorado. I'm disappointed about that, but the fact is that the federal government is being forced to do more with less because of the budget resolution the Republican leadership forced through the House.

I am pleased the bill provides support for research programs important to Colorado State University, including research on infectious diseases and ultraviolet radiation monitoring. I am also pleased provisions of the legislation adequately funds important programs for Renewable Energy and Energy Efficiency grants which can provide much needed resources for rural economic development to communities throughout the Eastern Plains, Western Slope and San Luis Valley of Colorado.

While there are good things about this bill it does have its shortcomings. Even though attempts were made to the conservation provisions, more needs to be done to address the continued under funding of these important programs. I am also particularly disappointed this legislation does not address the continued delay of the implementation of a mandatory country of origin labeling (COOL) for products such as meat and produce. The shortsightedness of the committee denies Colorado ranchers and farmers a wonderful resource to market their products and provide consumers a clear choice in the products they purchase.

I am hopeful the Senate will build on the work of the House passed legislation so an even stronger bill can be sent to the President.

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

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

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

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

The Clerk will read.

The Clerk read as follows:

H.R. 5384

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2007, and for other purposes, namely:

TITLE I

AGRICULTURAL PROGRAMS

PRODUCTION, PROCESSING, AND MARKETING

OFFICE OF THE SECRETARY

For necessary expenses of the Office of the Secretary of Agriculture, $5,499,000: *Provided,* That not to exceed $11,000 of this amount shall be available for official reception and representation expenses, not otherwise provided for, as determined by the Secretary.

AMENDMENT OFFERED BY MR. KUCINICH

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

The Clerk read as follows:

Amendment offered by Mr. KUCINICH:

Page 2, line 9, insert after the dollar amount the following: ''(reduced by $1)''.

Mr. KUCINICH. Mr. Chairman, the Kucinich Organic Food Amendment strikes $1 of salary from the Secretary's office to raise an objection to the removal of consumer public interest representation from the National Organic Standards Board.

What is organic food? Organic food is produced in a sustainable manner without pesticides, herbicides, or artificial fertilizers. Organic food production improves the environment and delivers a safe food to our children.

Our fields and streams are relied upon to grow our food; therefore, we must protect these assets with a sustainable agricultural system. Organic food has proven itself commercially viable. It is a multi-billion dollar industry. It has improved the sustainability of our agricultural system. But organic foods cannot be distinguished by how they look, taste, or smell. Consumers can only rely on an organic label. Consumers need to trust that label if they are going to pay the premium for organic food.

The National Organic Standards Board was formed in 1990 as part of the 1990 farm bill's Organic Food Production Act. Its 15 members are meant to assist the Secretary of Agriculture in developing organic food standards. Members have 5-year terms and the board is comprised of four farmers/growers; two handlers/processors; one retailer; one scientist; three consumer public advocates; three environmentalists; and one certifying agent who sits on various committees.

This board is, among other things, tasked with ensuring that consumers can trust the organic food label. There appears to be an effort to undercut consumer public interest representation on the board. Led by Consumers Union, several food safety and public interest organizations raised objections to two recent appointments to the consumer public interest slots because those slots went to industry representatives. One occupant is a food industry lobbyist for General Mills and the other occupant is a consultant to the organic dairy industry. Fortunately, the General Mills lobbyist was responsible and resigned. Unfortunately, the dairy consultant remains on the board.

Now, the Consumers Union letter stated in part: ''These individuals could not reflect the specific interests of the consumers or the public, but rather the interests of the industry. For example, General Mills is a large corporation. It has a vested interest in the sales of organic food products which is in conflict with representing a consumer public interest position on the National Organic Standards Board.''

When the USDA was challenged by the Center For Science in the Public Interest, the USDA staff for the National Organic Standards Board responded with: ''It was the Secretary's decision to pick,'' talking about the General Mills representative, ''and he didn't want to pick anyone else.''

Clearly, the USDA has signaled its intention to leave the consumer slot vacant for the rest of the year. To ensure consumers can trust the organic label, the Secretary should fill the slots with consumer representatives. This amendment would simply remind the USDA that Congress, which created the National Organic Standards Board, believes that the consumer public interest representation on the National Organic Standards Board is critical to setting organic food standards that are credible and trustworthy.

Mr. Chairman, I yield to my colleague from Wisconsin, Mr. OBEY.

Mr. OBEY. I thank the gentleman for yielding. Let me simply say that I appreciate his comments, especially in light of the fact that last year in the conference on this bill after the conference was gaveled to a close, the conference committee then made arbitrary and anonymous changes in the definition of organic foods without a vote of the conference. So it seems to me that the gentleman is correct that we need to be vigilant in terms of who is trying to manipulate their definition of what represents a high organic standard.

I thank the gentleman for yielding.

Mr. KUCINICH. Reclaiming my time, the comments of the gentleman from Wisconsin make it very clear that Congress has a role here in affirming the position of consumer representatives on the National Organic Standards Board. It was Congress that created this board. It was Congress that wanted to ensure the integrity of the organic label. So I am asking my colleagues to vote ''yes'' to protect the integrity of the organic food label.

I would once again say that the Consumers Union has taken this position that they believe that the integrity of the consumer public interest positions have been compromised by the appointment.

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

Mr. Chairman, it is my understanding that there is currently one vacancy on the National Organic Standards Board, and I understand the gentleman is very concerned about this issue and USDA is seeking nominations for the position. There was some advertisement that went out to these positions in the spring time. The vacancy closes July 14, and it will be filled. So the way we see the process going, that is, the gentleman's issues are being addressed, we see this as a non-issue, and we would hope that the gentleman would withdraw the amendment.

If there is some opposition to the way the process works, we can understand that; but the process is moving forward and the board positions will be filled in a timely manner according to our information.

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

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

Mr. KUCINICH. Would the gentleman endorse the statement of concern that I made so that the appointment would truly go to a consumer representative?

Mr. BONILLA. I cannot advocate or endorse a particular group's choice for the position. That is not my role.

Mr. KUCINICH. If I may, if the gentleman would continue to yield, it is not my intention to ask you to endorse a particular person or a particular group's nominee. The spirit of this amendment is to protect the organic label through making sure that there is a consumer representative.

I would ask if the gentleman would be willing to work with me to make sure as we move through this process that, in fact, we will have a real consumer representative, whoever he or she may be, and not someone who is necessarily part of the industry. The industry does have representatives, and I have no quarrel with that; but consumer representatives ought to be as such. If the gentleman would agree to work with me on it, I would be happy to withdraw the amendment.

Mr. BONILLA. I would be happy to work with the gentleman on this; but, of course, I cannot stand here and guarantee the outcome.

Mr. KUCINICH. I understand, but the chairman, if we work together, I think that the consumers would have a better feeling that with the Chair being involved there is an opportunity that at least we could address the issue. I am not asking you to guarantee the outcome, but if I have your word that you will make an effort, that is good enough for me.

Mr. BONILLA. I would be happy to do that. I have a tremendous amount of respect for the gentleman. There have been many unrelated issues that we have worked on together in the past, and we would be happy to do that.

Mr. KUCINICH. In consideration of the chairman giving me his word that we will work together on this, Mr. Chairman, I ask unanimous consent to withdraw my amendment.

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

There was no objection.

The Acting CHAIRMAN. The Clerk will read.

The Clerk read as follows:

EXECUTIVE OPERATIONS

CHIEF ECONOMIST

For necessary expenses of the Chief Economist, including economic analysis, risk assessment, cost-benefit analysis, energy and new uses, and the functions of the World Agricultural Outlook Board, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1622g), $11,226,000.

NATIONAL APPEALS DIVISION

For necessary expenses of the National Appeals Division, $14,795,000.

OFFICE OF BUDGET AND PROGRAM ANALYSIS

For necessary expenses of the Office of Budget and Program Analysis, $8,479,000.

HOMELAND SECURITY STAFF

For necessary expenses of the Homeland Security Staff, $954,000.

OFFICE OF THE CHIEF INFORMATION OFFICER

For necessary expenses of the Office of the Chief Information Officer, $16,936,000.

COMMON COMPUTING ENVIRONMENT

For necessary expenses to acquire a Common Computing Environment for the Natural Resources Conservation Service, the Farm and Foreign Agricultural Service, and Rural Development mission areas for information technology, systems, and services, $68,971,000, of which $4,494,127 is for rural development-related activities, $14,494,273 is for Natural Resource Conservation Service-related activities, and $49,982,600 is for Farm Service Agency-related activities, to remain available until expended, for the capital asset acquisition of shared information technology systems, including services as authorized by 7 U.S.C. 6915–16 and 40 U.S.C. 1421–28: *Provided*, That obligation of these funds shall be consistent with the Department of Agriculture Service Center Modernization Plan of the county-based agencies, and shall be with the concurrence of the Department's Chief Information Officer: *Provided further*, That of the funds provided under this section, $410,000 shall be available to process data to acquire fourband digital color infrared imagery of the entire State of New Mexico.

AMENDMENT OFFERED BY MR. WEINER

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

The Clerk read as follows:

Amendment offered by Mr. WEINER:

Page 3, line 12, insert after the dollar amount the following: ''(reduced by $25,576,000)''.

Page 3, line 13, insert after the dollar amount the following: ''(reduced by $1,666,523)''.

Page 3, line 14, insert after the dollar amount the following: ''(reduced by $5,374,803)''.

Page 3, line 15, insert after the dollar amount the following: ''(reduced by $18,534,674)''.

Page 19, line 8, insert after the first dollar amount the following: ''(increased by $23,000,000)''.

Mr. WEINER. Mr. Chairman, there are a great many people who are watching with rapt attention what we do in this appropriations bill. There are many people watching, well, many might be a strong word, but there are some people watching on C–SPAN and many of our colleagues are very interested to see the outcome of this bill. But I can tell you there is a whole group of other creatures that really don't mind at all what we do here because they are going about the business of ravaging our economy.

I am talking about the invasive insects, the invasive species like the Asian longhorn beetle which because of the lack of funding in this budget and in past budgets are on course to do an estimated $268 billion worth of damage to the economy. It is insects like the Asian longhorn beetle that is eating away at Illinois and Pennsylvania and New York and New Jersey. It is insects like the emerald ash borer that my colleague Mr. SCHWARZ is so concerned about and folks in Indiana and Ohio. The sudden oak death disease in California and Oregon, all kinds of different insects are right now creating havoc in our economy.

We have over the course of time been frankly funding less and less and less for these invasive species. Sometimes it is a matter of surveillance like it is with the Asian longhorn beetle. You have to find it in order to stamp it out. Sometimes it is a matter of taking steps like we did successfully in Illinois to poison these pests before they do any more damage.

□ 1245

But I am going to tell you what the cost is if we do not pass the Weiner-Schwarz-Crowley-Maloney amendment today.

These insects will continue to move from neighborhood to neighborhood, city to city, State to State. This very same insect, which has cost over 4,000 trees in New York City, yes, Mr. OBEY, a tree does grow in Brooklyn; more than 4,000 trees have been eaten by the Asian longhorned beetle. It is on a path going north. Think of what is north of New York City. It is the Adirondacks. It is Vermont. This pest likes maple trees more than we like maple syrup. If it starts to infect that part of the U.S. economy, there will be no stopping it.

But we do have a plan now. If we provide about $23 million, it does not eliminate the problem overnight, but it does put us on a glide course to stopping this problem and these pests in their tracks.

This is a moment. This is kind of like a ripple in a pond. Right now, the problem is relatively concentrated. This is what it looks like in New York City. It started about 3 years ago, just in this neighborhood of Greenpoint, and now it is moving further and further and further out. At the same time that is happening, we have been reducing our funding, and the President has underfunded this bill appreciably.

My amendment is very simple. It would take $23 million from the common computing account and move it into this line which would help stamp out this bug and so many others. There is a list of States that this impacts, everything from the southern U.S. where the cactus moth is, all the way up to the northeast where the Asian longhorned beetle is, and Mr. SCHWARZ is going to talk about the effect it is having on Michigan.

Look, I want to upgrade the computers at the Department of Agriculture as much as anyone, but a slow computer is the least of our problems when up against this fellow. I want to tell you, as dangerous as this bug is, in all truth, this is not life size. It is a little bit smaller than this, but this bug will continue plowing away through our trees. They have already eaten 4,000 trees in New York City alone, and the only way to stop it after a while is just to raise entire forests. We simply cannot do that.

In conclusion, let me just say this, Mr. Chairman, we have shown that when the office of APHIS at the Department of Agriculture goes into a problem like they did with the boll weevil, jumps into a problem like they did with the Asian longhorned beetle in Illinois, we can stop this problem, and we can do it for relatively pennies on the dollar.

PARLIAMENTARY INQUIRY

Mr. WEINER. Mr. Chairman, parliamentary inquiry. Am I allowed to reserve time?

The Acting CHAIRMAN (Mr. MILLER of Florida). No.

Mr. WEINER. Mr. Chairman, in conclusion then, this is a chance to spend $23 million to save us having to spend $268 million.

I urge you to vote ''yes'' on the Weiner-Schwarz-Maloney-Crowley amendment and stamp out the Asian longhorned beetle and the other invasive species.

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

Mr. Chairman, the gentleman raises a very good issue that deserves attention, but we have done our absolute best to fund eradication and control of plant pests in the bill before you today that we are presenting. The overall total for plant pests is $115 million, which is $16 million over last year's level.

The Asian longhorned beetle is at the President's request of $20 million; the glassy winged sharpshooter is at $24 million; emerald ash borer, $20 million, more than doubling last year's level of $8 million; citrus response is $39 million; sudden oak death, doubled from last year to $6 million; and the list goes on and on.

Eradication and control of these pests is also supported by emergency funding from the Commodity Credit Corporation at the discretion of the Secretary. The emerald ash borer control just received $7.5 million from CCC last month.

As for the offset of this amendment, it is completely irresponsible to cut funding to farmers, rural areas and conservation programs for this gentleman's purpose.

I would imagine that it would not just be me, but there would be Members from all across America that are sensitive to the cuts that are being proposed in this amendment. It is not just about one district. This is about national priorities.

If the gentleman wishes to look in his own district for offsets, New York City benefits greatly from the programs funded by this bill. I heard from you and others that funding for the Commodity Supplemental Fielding Program was a critical need. This bill includes $118 million for that program, which the President attempted to zero out. Of that amount, New York City receives $7.8 million and about 30,000 people receive food as a result. Would the gentleman propose that funding for that program be cut to fund beetle eradication since there is a parochial interest in taking money from one place and putting it in another?

The gentleman could also propose cuts in funding for WIC, the feeding program that we all care about and try to take care of every year for at-risk women and children, to fund this priority. This bill before us today includes over $5 billion of WIC funding. New York receives about $200 million of that funding every year for eligible women, infants and children. Why are beetles more important? What is the priority?

The point is that there are a lot of choices that you have to make in putting a bill like this together, and we made the choices that we feel are best for this country and have been fair to every State. So I would ask Members to oppose the amendment when it comes for a moment.

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

Mr. Chairman, I rise in strong support of the Weiner-Schwarz amendment to boost funding for the Animal and Plant Health Inspection Service by $23 million to fight invasive species nationwide, all across our country, and this additional funding that we are requesting is measured, it is responsible. It is the difference between what APHIS tell us they need to eradicate invasive species and what this bill contains.

My good friend on the other side of the aisle calls this a New York issue. This is not a New York issue. This is across the country, and it addresses not only the Asian longhorned beetle, but the emerald ash borer, the sudden death oak disease, the cactus moth that is in the gulf region, the boll weevil that is in the south and has destroyed a lot of the cotton industry, and again, this is not what we are requesting. It is what the professionals are requesting.

If we are able to stop it in New York or Chicago; Chicago has practically eradicated the Asian longhorned beetle. Believe me, you do not want this moving across the country. It is a terrible, terrible bug. I have got one right here, and it is only about an inch long with white spots on it. It does not look that dangerous, but if it gets into a tree, it will completely destroy the tree.

It first appeared in Greenpoint, Brooklyn, in my district, and we did not detect it, and literally, we had to chop down every single tree in a park and throughout the neighborhood. We are now trying to contain it and to keep it out of Central Park. It has moved into New Jersey. If we are able to contain it in Chicago and New Jersey and New York, then you will not have this problem.

Again, we are not just talking about the Asian longhorned beetle. We are talking about all invasive species, and it is the amount that is requested by the professionals in the Animal and Plant Health Inspection Service.

So this is a responsible bill. Regrettably, in New York, we have had to chop down over 4,000 trees; 27,000 trees have been chopped down across the country, and this is really an unacceptable price to pay, and that is why we need to pass this amendment which will provide more funding to fight these invasive species.

I tell you, it is a responsible request. We are just backing up what the agency is asking for, and this is a national problem. If we are able to contain it in Chicago and New Jersey, then you will not have the problem, and as I said, it also funds all of the other areas such as the sudden oak death and the emerald ash borer. I yield the remainder of my time to my colleague and friend from New York who has worked so hard on this issue, and it is so critical to all of New York City and State but to your States, too.

Mr. WEINER. Mr. Chairman, will the gentlewoman yield?

Mrs. MALONEY. I yield to the gentleman from New York.

Mr. WEINER. Mr. Chairman, I thank the gentlewoman.

This was passed on a bipartisan level, a similar bump-up amendment, 2 years ago. I just want to respond to the chairman's suggestion.

There is no doubt about it, the chairman makes some very difficult choices and I think did a very admirable job, but he read a long list of programs we do not take the money from. It should be clear where it comes from.

It comes from computer upgrades, computer upgrades, infrastructure, Department of Agriculture, a very worthy thing to do, no doubt about it, but if we do not wipe out these invasive species, they are going to wipe us out. The vector is like this. It is a wider and wider challenge with each additional year.

I believe that we need to have the highest technology we can in all of our agencies, but it is a matter of waiting another year to upgrade computers rather than trees.

Mrs. MALONEY. Mr. Chairman, reclaiming my time, if we do not fell this beetle and other invasive species, they will continue to fell our trees across our country.

I have an example here from APHIS of the beetle and what to look for if it goes to your States so you will know about it, and I urge my colleagues to support this amendment. This is a bipartisan amendment, and this is about the health and welfare of our economy, our environment.

It has cost us zillions of dollars to stop this beetle. We need to stop it now or it is only go to cause more economic and environmental damage across our country.

So I urge my colleagues on both sides of the aisle to support this important amendment.

Mr. SCHWARZ of Michigan. Mr. Chairman, I move to strike the last word.

Mr. Chairman, the emerald ash borer started in the State of Michigan, in southeast Michigan, probably another unwanted import from someplace in Southeast Asia where it does not affect the ash species, only apparently in North America, but it has now killed tens of millions of ash trees in the Midwest, and the destruction continues.

It affects the baseball bat industry, baseball bats are made from ash; the nursery industry; Native American culture, basket weaving; hardwood flooring and furniture industry; beautification projects; et cetera. It has moved out from southeast Michigan now to central Michigan into the northern

part of the State and into the upper peninsula, Ohio and Indiana and, unfortunately with some nursery trees, into the State of Virginia as well.

It is expected, if we do not go after this effectively and aggressively, that all the ash trees east of the Mississippi River will soon be destroyed by the emerald ash borer. For that reason, I support the Weiner-Schwarz amendment. I am hopeful that the chairman will as well.

Michigan State University in my State is doing a great deal of research and trying to find an easier way than the methods now used to exterminate this pest. That has not been done yet, and as a result, all of the ash trees in the United States, but especially those east of the Mississippi, are at risk.

I would say this. We appreciate the $20 million. The $20 million is not quite enough, and I do not think, unless you live in that part of the country, one understands the magnitude of what is going on with the emerald ash borer.

If we cannot pass our amendment, I would hope the chairman would consider changing the report language in the bill to include the lower peninsula of Michigan as well as the upper peninsula and Indiana and Ohio. For some reason yet unknown to me, the lower peninsula of Michigan is not in that language, but in any event, the emerald ash borer, which is the reason I am here and the reason I so strongly support this amendment, is something that has to be eradicated. If it is not eradicated, every ash tree in the United States itself will be eradicated.

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

I rise in support of the Weiner-Schwarz amendment. I want to thank my colleague from New York (Mr. WEINER) for all his hard work on this important issue on attacking invasive species.

Many people wonder why members of the New York City delegation would be up here on the Agricultural bill, but the issue of invasive species is a serious one for Members from rural, suburban and urban areas as well.

For New York City, the pest in question is the Asian longhorned beetle, and quite frankly, if the Asian longhorned beetle were this big, we would not be having this debate right now. We would all be putting more than $48 million per year towards eradicating it. But it is much smaller. It is about one-and-a-half inches to 2 inches in length.

It has been in Queens County since 1999, where I represent. The Asian longhorned beetle has had devastating effects on trees in my home County of Queens but also of Brooklyn, the Bronx, Manhattan, as well as parts of Chicago and New Jersey.

□ 1300

I know this pest has been depriving the residents of my constituency in my district of precious shade, green space, and natural beauty provided by a variety of trees. This issue is particularly serious in an area where trees and shades are at a premium, in the County of Queens. We have lost almost half of the trees that have been lost in New York City.

But besides attacking urban area trees, scientists have stated that the Asian longhorned beetle is a real threat to the hardwood trees of America; and if left unchecked, this pest could be more threatening to our Nation's trees and forests than the Dutch elm disease, the gypsy moth caterpillar, the chestnut blight combined. This beetle would be devastating to our timber industry, but let me go to our homes and to the breakfast table. This invasive species can have a direct impact on the maple syrup industry here in America. Imagine, pancakes without real maple syrup. That is what this bug represents to America right now.

On this point, I want to thank again the Chair and the ranking member for including report language in this bill recognizing the real threat of the Asian longhorned beetle. The report states: ''The Asian longhorned beetle threatens all hardwood trees, and is of great concern to the northeast, particularly in New York and New Jersey.''

When this pest was first discovered, I called for the assistance of my colleagues in this Chamber and you all responded. I want to acknowledge the great work of then-Chairman Skeen and now Chairman BONILLA, and then-Ranking Member KAPTUR and now Ranking Member DELAURO in working with me and the City of New York to try to address this issue.

I remember visiting the Heinz family of Ridgewood, Queens, who lost some of their precious trees to this pest in 1999. Due to our hard work here in Washington, we were able to fund investigators who searched the trees to look for the beetle and worked towards eliminating the problem in this particular neighborhood. We were able to replace those trees.

Green space and trees are a vital component to the quality of life of my constituents both in Queens and the Bronx and all the outer boroughs, including Manhattan. We can fight this invasive species and other pests that plague our country, like the emerald ash borer, sudden oak death, cactus moth and boll weevil, by passing this Weiner-Schwarz amendment today.

In addition to their past support for battling the beetle, I also want to thank Chairman BONILLA and Ranking Member DELAURO for including a provision in their bill granting the Secretary of the USDA discretion to use Commodity Credit Corporation funds to combat the beetle. While this provision is important, it cannot replace the need for this amendment, as over the past several years OMB has not approved CCC funding to combat this beetle and work towards its total eradication.

That is why I am supporting this amendment today to provide a $23 million increase to APHIS this year to more effectively combat invasive species in our country. Please support this amendment. It will benefit our constituents in almost every State in the country. In fact, I would argue every State, if you eat pancakes in the morning.

Mr. THOMPSON of California. Mr. Chairman, I move to strike the last word.

I rise for the purpose of a colloquy with the chairman. I want to thank you for the good work you and Ranking Member DELAURO have done on this bill and all the good work you have done for agriculture, much of which is manifested in this bill.

Mr. Chairman, thank you in particular for the interest that you have paid in regard to the wine industry, which is very important not only to my district but to the entire State of California, now a nearly $50 billion annual industry in California. I know that you took the time to come out and see it firsthand from the ground up, and that is very much appreciated.

Mr. Chairman, on page 22 of the House report, it directs and approves the reprogramming of available construction funds away from certain facilities. The report further states: ''This reprogramming will be used to offset construction costs for other Federal facilities in those States.''

I would like to get clarification, Mr. Chairman, that this language is not intended to imply that the committee has decided that these other projects are unworthy facilities or that the committee has determined that construction funding is no longer warranted.

Mr. BONILLA. If the gentleman will yield, I appreciate the gentleman's inquiry. The bill ensures that previously appropriated funds for planning and design of a new facility will continue to be available. This reprogramming is not intended to signify that construction funds are no longer needed.

Let me also add that I appreciate the gentleman's remarks on my interest in the industry. I have enjoyed my touring of the gentleman's region of California and also in Washington and would look forward at some point to returning. I plan to continue supporting the industry for as long as I am here.

Mr. THOMPSON of California. Thank you, Mr. Chairman, and I look forward to working with you and your staff on this and other matters that are important to this region in the future. We would love to get you back out there to see the parts of the industry that you didn't get a chance to see, and I appreciate your continued interest and hard work on behalf of this industry.

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

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

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

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

AMENDMENT OFFERED BY MR. BUTTERFIELD

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

The Clerk read as follows:

Amendment offered by Mr. BUTTERFIELD:

Page 3, line 12, insert after the dollar amount the following: ''(reduced by $5,000,000)''.

Page 3, line 14, insert after the dollar amount the following: ''(reduced by $5,000,000)''.

Page 36, line 21, insert after the dollar amount the following: ''(increased by $5,000,000)''.

Page 36, line 22, insert after the dollar amount the following: ''(increased by $5,000,000)''.

Mr. BUTTERFIELD. Mr. Chairman, I would like to offer this amendment today on behalf of the 23 rural counties that I represent in eastern North Carolina, and I might say that we are also the 15th poorest district in the Nation. I offer this amendment on behalf of the small and low-income and underserved rural communities all across America.

Mr. Chairman, before I continue with offering this amendment, I would like to say what a fine job that you and your staff have done on this bill. You were very courteous to me when I discussed this amendment with you a few minutes ago, and I thank you so very much. I also would like to thank the chairman and the ranking member for their spirit of bipartisanship on this committee.

Mr. Chairman, it is my intention to support the underlying bill. This amendment is offered to respectfully bring attention to this particular area of need.

If an individual is driving along interstate highway 95, and many of my colleagues when they travel south will travel that route, if you are driving along this interstate highway and you find yourself in an unfortunate collision, the odds are very likely that the emergency vehicles that respond to your situation were financed through the Community Facilities Account in Rural Development.

In all likelihood, the fire station and the police station and other facilities in the rural community that support these vehicles came from this account. Community Facilities, or CF as we call it, provides low-interest, long-term loans to rural towns and cities for buildings and emergency vehicles and other items. These loans are a net positive to the Federal Government over the life of the loan, and they have an exceptionally low default rate because the recipient is a local governmental entity. Because the funding is leveraged, a $5 million increase in this account will result in approximately $28 million in increased lending to local counties, cities, and towns.

Mr. Chairman, I realize that funding is tight this fiscal year. We all know that. But a small amount of money will allow a disproportionately large amount of lending to small communities across America to develop critical infrastructure that will save lives. So on behalf of the rural communities across America, I urge the adoption of this amendment.

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

The amendment proposes to cut funding for computers and information technology for NRCS and to add funding for the Rural Community programs.

The gentleman did not include this funding level as a priority to the subcommittee prior to this bill coming to the floor. The bill provides over $49 million for the Rural Community programs, which is an increase of $6 million over the President's request.

We had to make some tough decisions within our funding allocation, and I do not believe we should cut the Natural Resources Conservation Service to provide an additional increase for the Rural Community programs. So we have dealt with this issue in the committee, and we feel like we have done the best we can. Therefore, I rise to oppose this amendment.

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

The amendment was agreed to.

The Acting CHAIRMAN. The Clerk will read.

The Clerk read as follows:

OFFICE OF THE CHIEF FINANCIAL OFFICER

For necessary expenses of the Office of the Chief Financial Officer, $5,991,000: *Provided*, That no funds made available by this appropriation may be obligated for FAIR Act or Circular A–76 activities until the Secretary has submitted to the Committees on Appropriations of both Houses of Congress and the Committee on Government Reform of the House of Representatives a report on the Department's contracting out policies, including agency budgets for contracting out.

OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL RIGHTS

For necessary salaries and expenses of the Office of the Assistant Secretary for Civil Rights, $836,000.

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, $22,650,000.

OFFICE OF THE ASSISTANT SECRETARY FOR ADMINISTRATION

For necessary salaries and expenses of the Office of the Assistant Secretary for Administration, $736,000.

AGRICULTURE BUILDINGS AND FACILITIES AND RENTAL PAYMENTS

(INCLUDING TRANSFERS OF FUNDS)

For payment of space rental and related costs pursuant to Public Law 92–313, including authorities pursuant to the 1984 delegation of authority from the Administrator of General Services to the Department of Agriculture under 40 U.S.C. 486, for programs and activities of the Department which are included in this Act, and for alterations and other actions needed for the Department and its agencies to consolidate unneeded space into configurations suitable for release to the Administrator of General Services, and for the operation, maintenance, improvement, and repair of Agriculture buildings and facilities, and for related costs, $209,814,000, to remain available until expended, of which $155,851,000 shall be available for payments to the General Services Administration for rent and the Department of Homeland Security for building security: *Provided*, That amounts which are made available for space rental and related costs for the Department of Agriculture in this Act may be transferred between such appropriations to cover the costs of additional, new, or replacement space 15 days after notice thereof is transmitted to the Appropriations Committees of both Houses of Congress.

AMENDMENT NO. 3 OFFERED BY MR. KENNEDY OF MINNESOTA

Mr. KENNEDY of Minnesota. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mr. KENNEDY of Minnesota:

Page 5, line 15, insert after the dollar amount the following: ''(reduced by $500,000)''.

Page 13, line 6, insert after the dollar amount the following: ''(increased by $500,000)''.

Mr. KENNEDY of Minnesota. Mr. Chairman, let me first of all thank the chairman of the committee and the great committee itself for the wonderful job they are doing with a very difficult task in a tight budget year of balancing so many priorities, and I commend them on the job that they have done.

I do rise today as someone who did not live in a town of more than 500 until after I graduated from high school. I understand the unique challenges that our rural communities face, and one of those challenges that has emerged in the last few years is the growing shortfall of qualified veterinarians serving in rural practice.

This shortage is particularly troubling because vets provide critical services that help make our country's food security and disease management systems the envy of the world. Veterinarians in rural communities are our front line of defense against biosecurity outbreaks, like avian influenza, SARS, BSE, West Nile virus, and others.

The need to prevent such outbreaks and identify new biohazards before they endanger our food supply makes it crucial that we have qualified vets working in our rural communities. However, over the last few years, the rising cost of veterinary education has led to a critical shortfall of new vets entering into practice in lower-paying underserved areas.

□ 1315

According to the American Veterinary Medical Association, in 2005, the average new vet had over $88,000 in debt from their education, and more than one-third of the graduates had debt over $100,000. As a result, new vets face loan repayments that amount to

nearly a third of their monthly salaries, forcing many to go into higher-paying smaller animal practices instead of the large animal, food-supply related service in our rural areas.

Worse yet, statistics show that the shortage of food-supply vets is growing by 4 percent a year with an anticipated 13 percent shortage for cattle and swine veterinarians and a 19 percent shortage for vets involved in Federal animal inspections.

To address this shortfall, in December 2003, the National Veterinary Medical Service Act was signed into law. The bill authorizes the Secretary of Agriculture to exchange payment of a vet's educational loans for service in critical shortage areas such as rural, public health and inner city practices.

Although the act had nearly unanimous support when passed into law, today Congress has only appropriated $500,000 for this pilot program in last year's agriculture appropriations conference report, and I thank the chairman for that. The amount is far too short of the act's authorizing level, but veterinarian professionals like the American Veterinary Medical Association believe it is vital to encouraging more vets to enter into practices critical to our Nation's food security.

That is why I am offering an amendment to again fund this program at $500,000, the same as enacted in last year's bill. The offset for this funding would come from the Agriculture Buildings Facilities and Rental Payments Account which is set to increase at over $24 million to nearly $210 million next year.

We must provide much-needed resources in the area of work dedicated to combating the threat of economic, human and animal loss. I again acknowledge the difficult task the chairman faces and the commendable job they have done in balancing those priorities, but I encourage all Members to support my amendment, which is endorsed by the Veterinary Medical Association, so we have a strong defense against all disease outbreaks throughout the country.

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

Mr. Chairman, first let me say, I want to commend Mr. KENNEDY for his hard work on this issue. He is a great Member of the House and is destined and on his way to doing greater things for the State of Minnesota.

However, I reluctantly rise to oppose the amendment, and I think if the gentleman will listen to my reasons, he will understand why.

Mr. Chairman, it is not that we are against the issue; it is that there is no place to put the money that the gentleman is proposing. The gentleman does accurately point out that the Senate provided funding for this program in fiscal year 2006, and we agreed to fund this in the conference. The Senate-passed bill had $1 million for this program, and we agreed to $500,000.

However, adding more money to this program will have zero effect. This is a brand new program. The USDA is only currently deciding how to set this program up because they do not run a student loan repayment program. The department has coordinated a working group, and they are only now reviewing a draft management proposal. USDA wants to ensure that this program is thought out. Rules and regulations will have to be drafted and finalized, and the USDA estimates it is going to be about 18 months before this program is in place.

My point is fiscal year 2007 will have passed before this program is in place. We have a hard enough time keeping ongoing programs adequately funded. I know the gentleman appreciates that.

So, again, just to emphasize, even if I stood up here and agreed to the gentleman's amendment, the money would go into limbo and would not be used for what the gentleman wants it to be used for. I would urge the gentleman to withdraw his amendment because we can work together to make sure that this thing works properly.

This is the fiscal year 2007 appropriations bill for agriculture, and there is absolutely nothing that they can do with this money for at least 18 months. So it is not a prudent way to proceed.

Mr. KENNEDY of Minnesota. Mr. Chairman, will the gentleman yield?

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

Mr. KENNEDY of Minnesota. Would the gentleman stipulate that the previously appropriated funds are going to be sufficient to cover any amounts going under this program during fiscal year 2007?

Mr. BONILLA. Yes, because until they can develop the rules, regulations and how it is going to work, there is nothing they can spend money the money on.

Mr. KENNEDY of Minnesota. At the chairman's request, I will withdraw my amendment under the agreement that in the future and once this program has been further defined by the USDA, that we work together to make sure that it becomes funded at the level necessary to ensure that we have large animal veterinarians out in our rural areas.

Mr. BONILLA. Absolutely.

Mr. KENNEDY of Minnesota. I ask unanimous consent to withdraw my amendment.

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

There was no objection.

AMENDMENT NO. 18 OFFERED BY MR. HOLT

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 18 offered by Mr. HOLT:

Page 5, line 15, after the dollar amount, insert the following: ''(reduced by $3,145,000)''.

Page 17, line 14, after the dollar amount, insert the following: ''(increased by $3,145,000)''.

Page 17, line 24, after the dollar amount, insert the following: ''(increased by $3,145,000)''.

Mr. HOLT. Mr. Chairman, I rise to offer an amendment to the bill that will increase funding for organic transitions. It should come as no surprise; in fact, we have talked about it already this morning, that the demand for natural pesticide-free and chemical-free foods has been increasing dramatically in the United States. In fact, the Department of Agriculture says this part, this sector of the industry, is growing at 20 percent per year.

And yet funding for a critical government program to help farmers make the transition to organic farming has remained quite small and flat year after year.

The Organic Transitions Program is a competitive grants program established as part of the Cooperative Research and Extension Service. The national program has been very important to organic farming, to organic farmers and farms, and to fund research to assist the farmers in overcoming the barriers and making the transition into organic production.

This will help farmers, and it does today, help farmers optimize management of organic matter, soil fertility, research in pests and in crop health. Farmers have been funded to implement pest management programs for use in blueberry production. Another study has been funded to look at organic weed suppression.

Organic agriculture, indeed, is coming of age. But still, there is a need for research under the Department of Agriculture to help in the transition. Despite the surge in demand for organic products, the research into the transition, the research to assist the farmers in making the transition into organic farming methods has been holding steady at just under $2 million for the last several fiscal years. Well, spread over 50 States for agricultural research and extension services, obviously that is not keeping up.

So today I am offering with my colleagues from Iowa, Oregon and Wisconsin, Mr. LEACH, Mr. DEFAZIO and Mr. KIND, an amendment to increase the funding of the organic transitions program from $1.8 million to $5 million.

I am very much aware of the hard work that the chairman and the committee have put into squeezing every dollar out of their bill to get the best effect. However, I must say I was startled to find that the funding for this important program was not increased a bit even though this sector of agriculture in the United States is growing at 20 percent a year, and the demand for this very program is growing very rapidly.

So this amendment has the enthusiastic support of the National Organic Coalition, the Organic Trade Association, the northeast and other chapters of the Organic Farming Association, and many in the farming community.

And without this additional organic research funding, the farming community simply will not be able to keep

pace with the ever-growing demand for pesticide-free and chemical-free organic agricultural products.

I hope my colleagues will join me in favor of this amendment. I ask for its approval.

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

Mr. Chairman, I rise in opposition to the amendment. The amendment proposes to increase the organic transitions program by over $3 million. This represents, and I ask for all of my colleagues to get this, a 175 percent increase over the current funding level. This amendment is not even reasonable.

We struggle every day when we put a bill like this together to squeeze every last penny that we can to be fiscally responsible and to take care of requests that Members have. So to come to the floor with an amendment that has a 175 percent increase is unreasonable. It is not good government. I would urge Members to vote ''no.'' If this amendment even passes with this funding level, it would be unsustainable in conference. I do not understand, what is the point?

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

Mr. Chairman, with all due respect to the chairman of the subcommittee, and I know he has a very tough task given the allocation that he has to work with under the budget, but this amendment is not only necessary, it is fair and reasonable.

The offset would be from the facilities account which is increased even more than 175 percent from our calculation.

But the reason it is fair is because the organic industry today commands well over 2 percent of market share in this country. As my friend from New Jersey indicated, they have been growing on average 20 percent every year. The demand is growing even faster than that. Yet under agriculture appropriations funding, they are receiving approximately 0.2 percent of the funding under the agriculture bill even though they command well over 2 percent of market share.

What we are saying is that the organic industry is here and it is time to start treating them more fairly. They are growing and commanding a bigger share. Consumer demand exists, and that is why I am proud to offer this amendment with the gentleman from New Jersey, along with our colleagues, Mr. LEACH and Mr. DEFAZIO.

I personally have witnessed this growth in my congressional district in western Wisconsin, which has more organic producers than anywhere else in the entire country. In fact, it is the home of Organic Valley which has seen their sales increase, on average, roughly 50 percent every year. Last year alone, Organic Valley had an increase by 173 in the membership of their coop, bringing their total number up to 730. Today, based on a recent communication I had with them, they have over 600 applicants wanting to join Organic Valley and the cooperative, so they can sell their organic products.

But as we know, the transition to organic is very difficult, very expensive and it is very lengthy. The transition is a 3-year period where they see a tremendous drop in income during that time period until they are certified organic. That is why I think this amendment addresses a very specific need that exists, and it is helping with the transition costs into organic by the competitive grants that this amendment would offer. The increase in funding is something that I think is long overdue.

I think we in this body need to recognize the growing strength and the impact that organic is having in the market today. But this is not a question that organic is scientifically more healthy. We are not alleging that.

What organic represents is a choice: A choice that producers get to make on how they want to work their own lands, and a choice that consumers can make when it comes time to buying products for themselves and their families, and more and more consumers are choosing organic. In fact, more and more large retailers throughout the country are choosing to offer organic products on their shelves, and this will only continue to grow. Therefore, the demand will continue to grow, and the necessity for this amendment will certainly grow.

That is why I am hoping as we move forward with the reauthorization of the next farm bill in the next session of Congress, we will be able to engage the chairman of the subcommittee and other Members of this Congress in recognizing the growing need and vitality that exists in the organic industry today, and that we will be able to do some innovative and creative things to assist organic producers, but especially those smaller producers that are making that difficult and expensive transition into organic today so that there is a place in the farm bill for short-term assistance to enable them to make it.

But we can take an important step today by supporting this amendment, again with the appropriate offset that we have identified, which is a lot less than the increase in funding under this transition program.

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

Mr. KIND. I yield to the gentleman from New Jersey.

Mr. HOLT. The gentleman from Wisconsin, I am sure, is fully aware of the fact that the Department of Agriculture's Cooperative State Research and Extension Service has been one of the things that has made agriculture in America great and has made it successful.

What we are talking about is a highly competitive grant program under that service. This is not any give-away. This is something that advances the understanding and advances the agricultural science. The chairman makes it sounds like we are talking about a whooping amount of money, $5 million. We are talking about agricultural services all over the country; every State is involved in organic agriculture now. This is an important increase, but this is not a whooping, prohibitive increase.

□ 1330

Mr. KIND. Mr. Chairman, reclaiming my time, the organic industry has never come before the Congress asking for a heck of a lot. That has been the history of them. God bless them for doing so. This is one small program in the overall agriculture appropriations bill that they have come to us asking for greater assistance, because their need has grown exponentially.

We believe that with the appropriate offset we have identified, moving from roughly $1.8 million in these competitive grants up to $5 million will help relieve a little pent up pressure in that need that exists today. Because the organic industry has the potential of growing much faster and much larger than it is, even in recent years. I encourage my colleagues to support the amendment.

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

I want to thank the gentleman from New Jersey as well as the gentleman from Wisconsin for their statements in support of the organic transitions program.

As someone who has traveled the country, I can tell you that organic food growers are an emerging sector in agriculture. Mr. KIND pointed out that they now are at 2 percent.

I can tell you that all around this country there are many people getting into organic agriculture. What that means is that there needs to be structures in place to facilitate the growth of organic agriculture, which is just what this amendment will do.

I think we can look at it as emerging small business persons as well. These are individuals who believe in sustainability. These are individuals who believe in the American dream of being able to farm a plot of land and do it in a way that is consistent with a high quality, something that we ought to all be proud of. It is something that affects many Congressional districts in certainly every State.

I wanted to add my voice to support the efforts of Mr. HOLT, Mr. KIND and others who understand that the organic transition program is something that is going to help the organic industry grow. It is good for the industry, and it is good for American agriculture, and it is good for our ability to keep growing our economy as we grow with the growth of the organic industry.

Ms. DELAURO. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I won't take all of my time, I just want to lend my support to this amendment as a State in which we are seeing increasing efforts in terms of organic farming, and having visited those efforts, myself and understanding

the concerns that they have in making these kinds of transitions with the kinds of movement of the American public that is moving in this direction.

I just wanted to associate myself with the words of my colleagues and support the amendment.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey (Mr. HOLT).

The amendment was agreed to.

The Acting CHAIRMAN. The Clerk will read.

The Clerk read as follows:

HAZARDOUS MATERIALS MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Department of Agriculture, to comply with the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 et seq.) and the Resource Conservation and Recovery Act (42 U.S.C. 6901 et seq.), $12,020,000, to remain available until expended: *Provided*, That appropriations and funds available herein to the Department for Hazardous Materials Management may be transferred to any agency of the Department for its use in meeting all requirements pursuant to the above Acts on Federal and non-Federal lands.

DEPARTMENTAL ADMINISTRATION

(INCLUDING TRANSFERS OF FUNDS)

For Departmental Administration, $24,114,000, to provide for necessary expenses for management support services to offices of the Department and for general administration, security, repairs and alterations, and other miscellaneous supplies and expenses not otherwise provided for and necessary for the practical and efficient work of the Department: *Provided*, That this appropriation shall be reimbursed from applicable appropriations in this Act for travel expenses incident to the holding of hearings as required by 5 U.S.C. 551–558.

OFFICE OF THE ASSISTANT SECRETARY FOR CONGRESSIONAL RELATIONS

(INCLUDING TRANSFERS OF FUNDS)

For necessary salaries and expenses of the Office of the Assistant Secretary for Congressional Relations to carry out the programs funded by this Act, including programs involving intergovernmental affairs and liaison within the executive branch, $3,940,000: *Provided*, That these funds may be transferred to agencies of the Department of Agriculture funded by this Act to maintain personnel at the agency level: *Provided further*, That no funds made available by this appropriation may be obligated after 30 days from the date of enactment of this Act, unless the Secretary has notified the Committees on Appropriations of both Houses of Congress on the allocation of these funds by USDA agency: *Provided further*, That no other funds appropriated to the Department by this Act shall be available to the Department for support of activities of congressional relations.

OFFICE OF COMMUNICATIONS

For necessary expenses to carry out services relating to the coordination of programs involving public affairs, for the dissemination of agricultural information, and the coordination of information, work, and programs authorized by Congress in the Department, $9,695,000: *Provided*, That not to exceed $2,000,000 may be used for farmers' bulletins.

OFFICE OF THE INSPECTOR GENERAL

For necessary expenses of the Office of the Inspector General, including employment pursuant to the Inspector General Act of 1978, $82,493,000, including such sums as may be necessary for contracting and other arrangements with public agencies and private persons pursuant to section 6(a)(9) of the Inspector General Act of 1978, and including not to exceed $125,000 for certain confidential operational expenses, including the payment of informants, to be expended under the direction of the Inspector General pursuant to Public Law 95–452 and section 1337 of Public Law 97–98.

OFFICE OF THE GENERAL COUNSEL

For necessary expenses of the Office of the General Counsel, $40,455,000.

OFFICE OF THE UNDER SECRETARY FOR RESEARCH, EDUCATION AND ECONOMICS

For necessary salaries and expenses of the Office of the Under Secretary for Research, Education and Economics to administer the laws enacted by the Congress for the Economic Research Service, the National Agricultural Statistics Service, the Agricultural Research Service, and the Cooperative State Research, Education, and Extension Service, $651,000.

ECONOMIC RESEARCH SERVICE

For necessary expenses of the Economic Research Service in conducting economic research and analysis, $80,963,000.

NATIONAL AGRICULTURAL STATISTICS SERVICE

For necessary expenses of the National Agricultural Statistics Service in conducting statistical reporting and service work, $148,719,000, of which up to $36,582,000 shall be available until expended for the Census of Agriculture.

AMENDMENT NO. 17 OFFERED BY MR. KENNEDY OF MINNESOTA

Mr. KENNEDY of Minnesota. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 17 offered by Mr. KENNEDY of Minnesota:

Page 9, line 10, insert after the first dollar amount the following: ''(reduced by $500,000)''.

Page 19, line 8, insert after the first dollar amount the following: ''(increased by $500,000)''.

Mr. KENNEDY of Minnesota. Mr. Chairman, as a representative from Minnesota's largest dairy-producing region, I have been a strong advocate for working with the Federal Government to protect my State's dairy producers and ranchers.

With 30,000 cattle producers representing a $2 billion industry in the State of Minnesota, I take very seriously any potential threat to the viability of the livestock sector in my State. The continued spread of bovine tuberculosis in cattle throughout Minnesota and other States poses a major risk of devastation to herds across the country.

So far this year, five beef cattle herds have tested positive for bovine tuberculosis in Minnesota. During the same period, seven beef and dairy herds in Michigan, and one dairy heard in Arizona have contracted the disease.

While some may believe that these outbreaks are the exception rather than the rule, it should be noted that several other States, including California, New Mexico and Texas have seen outbreaks in their herds. In fact, back in 2000, the USDA Secretary Glickman authorized over $44 million in emergency funds to expand TB eradication in Texas, Michigan and elsewhere.

States are responsible for the lion's share of the cost of dealing with these outbreaks. Not only must they combat the spread of bovine TB in livestock, but they must also make do with the shortage of limited Federal funds for indemnity payments to the ranchers and dairy producers.

The scope of the problem is evident at USDA's Animal and Plant Health Inspection Service, APHIS, where the limited funding for the bovine TB eradication program has been strained so severely that no indemnity money is left for the rest of this fiscal year. In fact, as a result of the most recent herds testing positive for bovine TB, USDA has had to find an additional $1.5 million above what has been appropriated for the bovine TB program for this year.

This has resulted in delays, threatens animal health and increases costs for our farmers and ranchers who are now reluctant. They are reluctant to test their herds unless they are confident that indemnity money is available.

Simply put, this is not acceptable. That is why I am offering an amendment today that calls for a $500,000 increase in APHIS TB's eradication program. Such an increase was specifically referenced in the meeting that I had with APHIS Administrator DeHaven just last week.

My amendment, which is endorsed by the National Cattlemen's Beef Association, would mean that the total of $17.2 million would be appropriated for this year to deal with tuberculosis outbreaks in fiscal 2007. The offset for this funding would come from the National Agricultural Statistics Service, which has provided an increase of $9 million this year to a total of $145 million.

I, again, commend the chairman for the difficult balancing act that he has and a difficult tight year, but I encourage all Members to support my amendment so that all ranchers and dairy farmers, dairy producers, receive the resources they need to combat this resilient and destructive disease.

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

Mr. Chairman, it is with great reluctance I rise to oppose the gentleman's amendment, because the gentleman is such a distinguished Member. But we have funded the bovine TB program at $16.7 million, the same as the President's request. That is $1.8 million over the current level. So it is not like we haven't tried to address this issue.

We have challenges in fighting TB, but we feel like the resources provided can meet those challenges for now. If indemnity funds are exhausted in the current year, the Secretary can then access emergency funds.

So we do feel that this issue that the gentleman is concerned about, the concerns could be addressed. We certainly

would be willing to work with the Department and the gentleman if there is a greater need that we currently don't foresee.

The gentleman also proposes to cut funds for the National Agriculture Statistics Service. Those funds are for the purposes of agriculture and agriculture estimates. The census of agriculture does have an increase this year because it is a 5-year cycle and has up and down years. We are headed up to a census.

If you cut agricultural estimates, you decrease the USDA's ability to provide quality agriculture data. That data affects cash receipts to America's farms and ranches and exceeds $200 billion annually. The estimates must be precise; for example, a 1 cent change in the average corn price can result in the change of more than $110 million in counter-cyclical payments.

That is why I oppose the amendment. I know the gentleman can see my points very clearly and also the earlier point I made that it is not like we are not trying to address the gentleman's concerns and feel like, again, that we have increased this line item. There is additional money available, if there is a problem that emerges, so we are on your side, would be my quote to the gentleman.

Mr. KENNEDY of Minnesota. Mr. Chairman, will the gentleman yield?

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

Mr. KENNEDY of Minnesota. Mr. Chairman, the concern that we have, having met with the administrator, the funds have run out for this year some time ago. They have other diseases where they have sort of known expiration funds that they can give assurance.

But there is no assurance that funds would be released by OMB from CCC to provide this. Our farmers are telling us, as you know, farmers can take time to be concerned, that they just don't even want to test their animals because they know there isn't assured indemnity funds out there. So given the current status we are at today, where we are out of indemnity funds, farmers are concerned that their concern and their lack of confidence in the program being there could result in them making decisions that would delay identification of TB.

I recognize the issues that the chairman has brought up, but I do believe that given the heightened importance of this, that I think we need to proceed. I would also point out, as I mentioned, that when Texas was vitally concerned, we had $44 million back in 2000. Yes I do commend the increase, but I do believe this further increase remains being called for.

Mr. BONILLA. Mr. Chairman, reclaiming my time, I would further emphasize CCC funds could be used if they are needed to address this. So we feel like, again, we are doing all we can to address this issue at this time. That is why I am opposing the amendment.

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

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

Mr. KENNEDY of Minnesota. Mr. Chairman, I demand a recorded vote.

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

The Acting CHAIRMAN. The Clerk will read.

The Clerk read as follows:

AGRICULTURAL RESEARCH SERVICE

SALARIES AND EXPENSES

For necessary expenses to enable the Agricultural Research Service to perform agricultural research and demonstration relating to production, utilization, marketing, and distribution (not otherwise provided for); home economics or nutrition and consumer use including the acquisition, preservation, and dissemination of agricultural information; and for acquisition of lands by donation, exchange, or purchase at a nominal cost not to exceed $100, and for land exchanges where the lands exchanged shall be of equal value or shall be equalized by a payment of money to the grantor which shall not exceed 25 percent of the total value of the land or interests transferred out of Federal ownership, $1,057,603,000, of which $2,350,000 shall remain available until expended: *Provided*, That appropriations hereunder shall be available for the operation and maintenance of aircraft and the purchase of not to exceed one for replacement only: *Provided further*, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for the construction, alteration, and repair of buildings and improvements, but unless otherwise provided, the cost of constructing any one building shall not exceed $375,000, except for headhouses or greenhouses which shall each be limited to $1,200,000, and except for 10 buildings to be constructed or improved at a cost not to exceed $750,000 each, and the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building or $375,000, whichever is greater: *Provided further*, That the limitations on alterations contained in this Act shall not apply to modernization or replacement of existing facilities at Beltsville, Maryland: *Provided further*, That appropriations hereunder shall be available for granting easements at the Beltsville Agricultural Research Center: *Provided further*, That the foregoing limitations shall not apply to replacement of buildings needed to carry out the Act of April 24, 1948 (21 U.S.C. 113a): *Provided further*, That the foregoing limitations shall not apply to the purchase of land at Florence, South Carolina: *Provided further*, That funds may be received from any State, other political subdivision, organization, or individual for the purpose of establishing or operating any research facility or research project of the Agricultural Research Service, as authorized by law: *Provided further*, That the Secretary, through the Agricultural Research Service, or successor, is authorized to lease approximately 40 acres of land at the Central Plains Experiment Station, Nunn, Colorado, to the Board of Governors of the Colorado State University System, for its Shortgrass Steppe Biological Field Station, on such terms and conditions as the Secretary deems in the public interest: *Provided further*, That the Secretary understands that it is the intent of the University to construct research and educational buildings on the subject acreage and to conduct agricultural research and educational activities in these buildings: *Provided further*, That as consideration for a lease, the Secretary may accept the benefits of mutual cooperative research to be conducted by the Colorado State University and the Government at the Shortgrass Steppe Biological Field Station: *Provided further*, That the term of any lease shall be for no more than 20 years, but a lease may be renewed at the option of the Secretary on such terms and conditions as the Secretary deems in the public interest: *Provided further*, That the Agricultural Research Service may convey all rights and title of the United States, to a parcel of land comprising 19 acres, more or less, located in Section 2, Township 18 North, Range 14 East in Oktibbeha County, Mississippi, originally conveyed by the Board of Trustees of the Institution of Higher Learning of the State of Mississippi, and described in instruments recorded in Deed Book 306 at pages 553–554, Deed Book 319 at page 219, and Deed Book 33 at page 115, of the public land records of Oktibbeha County, Mississippi, including facilities, and fixed equipment, to the Mississippi State University, Starkville, Mississippi, in their ''as is'' condition, when vacated by the Agricultural Research Service: *Provided further*, That none of the funds appropriated under this heading shall be available to carry out research related to the production, processing, or marketing of tobacco or tobacco products.

BUILDINGS AND FACILITIES

For acquisition of land, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities as necessary to carry out the agricultural research programs of the Department of Agriculture, where not otherwise provided, $140,000,000, to remain available until expended.

COOPERATIVE STATE RESEARCH, EDUCATION, AND EXTENSION SERVICE

RESEARCH AND EDUCATION ACTIVITIES

For payments to agricultural experiment stations, for cooperative forestry and other research, for facilities, and for other expenses, $651,606,000, as follows: to carry out the provisions of the Hatch Act of 1887 (7 U.S.C. 361a–i), $183,275,000; for grants for cooperative forestry research (16 U.S.C. 582a through a–7), $22,668,000; for payments to the 1890 land-grant colleges, including Tuskegee University and West Virginia State University (7 U.S.C. 3222), $38,331,000, of which $1,507,496 shall be made available only for the purpose of ensuring that each institution shall receive no less than $1,000,000; for special grants for agricultural research (7 U.S.C. 450i(c)), $103,471,000; for special grants for agricultural research on improved pest control (7 U.S.C. 450i(c)), $14,952,000; for competitive research grants (7 U.S.C. 450i(b)), $190,000,000; for the support of animal health and disease programs (7 U.S.C. 3195), $5,006,000; for supplemental and alternative crops and products (7 U.S.C. 3319d), $1,175,000; for grants for research pursuant to the Critical Agricultural Materials Act (7 U.S.C. 178 et seq.), $1,091,000, to remain available until expended; for the 1994 research grants program for 1994 institutions pursuant to section 536 of Public Law 103–382 (7 U.S.C. 301 note), $1,250,000, to remain available until expended; for rangeland research grants (7 U.S.C. 3333), $1,000,000; for higher education graduate fellowship grants (7 U.S.C. 3152(b)(6)), $4,455,000, to remain available until expended (7 U.S.C. 2209b); for higher education challenge grants (7 U.S.C. 3152(b)(1)), $5,445,000; for a higher education multicultural scholars program (7 U.S.C. 3152(b)(5)), $988,000 to remain available until

expended (7 U.S.C. 2209b); for an education grants program for Hispanic-serving Institutions (7 U.S.C. 3241), $5,940,000; for a secondary agriculture education program and 2-year post-secondary education (7 U.S.C. 3152(j)), $990,000; for aquaculture grants (7 U.S.C. 3322), $3,956,000; for sustainable agriculture research and education (7 U.S.C. 5811), $12,196,000; for a program of capacity building grants (7 U.S.C. 3152(b)(4)) to colleges eligible to receive funds under the Act of August 30, 1890 (7 U.S.C. 321–326 and 328), including Tuskegee University and West Virginia State University, $12,375,000, to remain available until expended (7 U.S.C. 2209b); for payments to the 1994 Institutions pursuant to section 534(a)(1) of Public Law 103–382, $3,000,000; for resident instruction grants for insular areas under section 1491 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3363), $500,000; and for necessary expenses of Research and Education Activities, $39,542,000, of which $2,723,000 for the Research, Education, and Economics Information System and $2,151,000 for the Electronic Grants Information System, are to remain available until expended: *Provided*, That none of the funds appropriated under this heading shall be available to carry out research related to the production, processing, or marketing of tobacco or tobacco products: *Provided further*, That this paragraph shall not apply to research on the medical, biotechnological, food, and industrial uses of tobacco.

AMENDMENT OFFERED BY MS. DELAURO

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

The Clerk read as follows:

Amendment offered by Ms. DELAURO:

Page 13, line 6, insert after the dollar amount the following: ''(increased by $25,000,000)''.

Page 36, line 21, insert after the dollar amount the following: ''(increased by $229,303,000)''.

Page 48, line 26, insert after the dollar amount the following: ''(increased by $12,000,000)''.

Page 50, line 6, insert after the dollar amount the following: ''(increased by $23,000,000)''.

Page 51, line 23, insert after the dollar amount the following: ''(increased by $10,000,000)''.

Page 52, line 7, insert after the dollar amount the following: ''(increased by $6,697,000)''.

At the end of the bill (before the short title), add the following new sections:

''SEC. ____. In addition to amounts otherwise provided by this Act, there is hereby appropriated to the Secretary the following amounts for the following purposes:

''(1) For biorefinery grants authorized by section 9003 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8103), $50,000,000.

''(2) For grants under the energy audit and renewable energy development program authorized by section 9005 of such Act (7 U.S.C. 8105), $10,000,000.

''(3) For payments under the bioenergy program authorized by section 9010 of such Act (7 U.S.C. 8108), and notwithstanding subsection (c)(2) of such section, $120,000,000.

''(4) For grants under the Biomass Research and Development Initiative authorized by section 307 of the Biomass Research and Development Act of 2000 (7 U.S.C. 7624), $14,000,000.

''SEC. ____. In the case of taxpayers with income in excess of $1,000,000, for the calendar year beginning in 2007, the amount of tax reduction resulting from enactment of Public Law 107–16, Public Law 108–27, and Public Law 108–311 shall be reduced by 1.21 percent.''.

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

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

There was no objection.

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

The Acting CHAIRMAN. A point of order is reserved.

Ms. DELAURO. Mr. Chairman, this amendment seeks to address energy and rural development needs. We have become all too aware in recent years of the growing divide between rural Americans and other parts of our nation. Rural America has 90 percent of the country's poorest counties, a poverty rate of over 14 percent, and the number of farms in the United States has declined by two-thirds over the past 7 decades. Crop prices are low. Subsidies are eroding deepening digital divide. The opportunities for opportunity in rural America are slim.

In offering the amendment, I believe we could begin to meet a variety of rural development needs. From waste and water grants and community facility grants to funding for broadband expansion and renewable energy infrastructure, the amendment would raise the total water and waste grant program in the bill to $689 million, an increase of 44 percent over the bill, higher than any of the years since at least fiscal year 1996. These are the kinds of community facilities which help communities, that provide direct loans to them to build libraries, medical facilities, daycare centers. The funds help small rural communities meet EPA Clean Water Act requirements, lower water costs for homeowners and businesses, helping lower-income smaller communities get funds they need.

USDA has left grant applications with $497 million from 536 communities unfunded at the end of fiscal year 2005 because it had used up the funds appropriated for the program. This happens year after year. We have got to start doing better. I believe this amendment helps us to do that.

Let me focus on energy for a moment. The single most significant action this committee could take to improve the prospects for rural and national economies would be to make a strong commitment to renewable energy. There are several programs in the 2002 farm bill, last year's energy bill, funded through the agricultural appropriations bill that offer us this opening to look at meaningful incentives for renewal energy, production, consumption and infrastructure.

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We ought to seize this opportunity to re-energize a farm economy and at the same time jump-start the country's energy independence by looking at these new technologies.

Unfortunately, I believe our investment in these programs continues to be tentative. Let's take a look at the programs. Bioenergy makes available reduced-price feedstocks for expansion of ethanol and biodiesel facilities. That receives no funding at all under this bill. This program alone could help our farmers take those first steps towards creating a market for renewable energy.

The Value-Added Agricultural Product Market Development Grants could build more integrated ethanol biorefineries and spur development of new uses for agricultural products that does not even receive its authorized level in this bill with only $28 million.

Despite its popularity, the Renewable Energy Systems and Energy Efficiencies Improvement Program that provides resources to farmers and rural small businesses for energy efficiency is only funded at $23 million. That is half its authorized level.

Let me just be clear. These are all USDA programs funded under this bill, so we have a serious role to play in this committee. The amendment proposes to seriously fund these programs. It would increase biorefinery development grants by $50 million, restore $120 million to the bioenergy program, and fund the Value-Added Agricultural Product Market Development Grant Program at an authorized level of $40 million.

In addition, it doubles the funding for the Renewable Energy Systems and the Energy Efficiency Improvements Program and the Biomass Research and Development Program, while providing increased funding to finance renewable fuel filling stations in rural areas. It also increases funding for the land grant universities by $25 million to look at their portion of the research, which will be critical in order for us to move forward.

The amendment is fully paid for by asking those making more than $1 million per year to forego less than $1,500 of their $90,000-plus tax cuts. American families are sacrificing enough. It is time this Congress ask the most well-off to do their part to meet the challenge as well.

So, Mr. Chairman, with biofuels on the cusp of revolutionizing the American economy in the very near future, the technologies are here, they are here now. Brazil did this in only a few years' time. We can make a statement here, a statement that the Congress is ready to face this challenge head-on.

As I said before, Americans are ready to declare their energy independence. We can make this possible with this bill. We can tap the promise of our farms that they hold to reduce our dependence on oil. We can provide a more secure economic future for our farmers. We can make it happen with this amendment.

Renewable energy has the incredible potential to revive the American farm economy and our own agricultural base. We ought to pass this amendment.

POINT OF ORDER

Mr. BONILLA. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation on an appropriations bill, and therefore violates clause 2 of rule XXI.

The rule states in pertinent part: ''An amendment to a general appropriations bill shall not be in order if changing existing law.'' The amendment changes the application of existing law.

I request a ruling from the Chair.

The Acting CHAIRMAN (Mr. MILLER of Florida). Does any Member wish to be heard?

The Chair is prepared to rule. The Chair finds this amendment changes the application of existing law. The amendment therefore constitutes legislation in violation of clause 2 of rule XXI.

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

AMENDMENT OFFERED BY MR. BACA

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

The Clerk read as follows:

Amendment offered by Mr. BACA:

Page 13, line 6, insert after the dollar amount the following: ''(reduced by $100,000)''.

Page 13, line 19, insert after the dollar amount the following: ''(reduced by $800,000)''.

Page 14, line 12, insert after the dollar amount the following: ''(increased by $700,000)''.

Page 18, line 16, insert after the dollar amount the following: ''(increased by $100,000)''.

Mr. BACA. Mr. Chairman, I first wish to commend Ranking Member ROSA DELAURO and Chairman BONILLA for their good work on this appropriations bill. It is a good bipartisan bill that has brought in a very important issue, especially as it pertains to Hispanic Serving Institutions and Colleges.

I now rise in favor of this collaboration amendment by my Congressional Hispanic and Black Caucus to boost funding for minority education in farming programs at the USDA. This amendment is being offered by me, Representatives BUTTERFIELD, HINOJOSA and THOMPSON to increase funding for Hispanic Serving Institutions and for the 2501 Socially Disadvantaged Farmers and Ranchers Program.

This amendment is important because it provides funding to help minority educations in agriculture.

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

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

Mr. BONILLA. Mr. Chairman, the gentleman is presenting a good amendment, and I would just like to inform the gentleman we would be happy to accept the gentleman's amendment if he would like to move it to a vote.

Mr. BACA. Mr. Chairman, reclaiming my time, I don't mind. I just wanted to read it for the RECORD to be recorded that I am fighting on behalf of everyone, if you don't mind, Mr. Chairman. But I appreciate that. I think it is important, and I appreciate the fact that they are moving on the amendment. Also I felt it was important for people to hear the amendment itself in terms of what it does.

This amendment is important because it provides funding for minority education in agriculture and helps rebuild a minority farming community that has been often neglected and discriminated against.

Hispanic Serving Institutions are a great source of innovation and deserve funding to continue generating advances in agricultural sciences. We must stop the long-standing practice of underfunding these institutions.

HSI funding lags behind funding for other minority institutions and remains underfunded by nearly 75 percent. With population growth, and this is why I appreciate the chairman's concern, and innovative ideas in terms of helping Hispanic-growing populations, we see enrollment at HSIs has skyrocketed, but funding remains very low and it is still unacceptable.

HSIs have grown to a number nearly equal to Historically Black Colleges and Universities. The funding has remained much lower.

A decade ago, we had less than 100 of the HSIs, and now we have nearly 250. In my district alone, we have three Hispanic Serving Institutions: Chaffey Community College, San Bernardino Community College and San Bernardino Cal State University of California. Hispanic community colleges want to know why they should not receive the full $20 million per year in investment we promised them in the farm bill.

In addition, the 2501 program helps socially disadvantaged farmers and ranchers, the fastest growing population in agriculture. We need to help these small minority farmers who are investing and keeping our country's farming legacy alive and well.

This program can help thousands of farm workers who are leaving strawberry fields behind and growing their own crops. This is a great example of the American Dream.

On the opposite side of the American Dream, this program helps keep farming traditions of thousands of African American farmers forced to the brink of discrimination, often by our own Federal Government.

Mr. Chairman, I understand you have agreed to accept this amendment, and I appreciate that. Again, I want to thank you; I want to thank Ranking Member DELAURO for the fine and great work on this legislation and this bill. So I thank both of you.

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

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

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

Mr. BUTTERFIELD. Mr. Chairman, I won't take the full 5 minutes. Let me thank the chairman for agreeing to this amendment and thank him for his leadership on the committee and thank him for his work on this Congress.

Mr. Chairman, this amendment is critically needed to provide financial assistance to our Nation's minority farmers, 1890 Land Grant Colleges and Universities, and our Nation's Hispanic serving institutions.

We must offer more outreach and more technical assistance to our farmers. During fiscal year 1983, President Reagan initiated the Small Farmer Outreach Training and Technical Assistance program in response to the USDA task force on A.A. farm ownership.

This is the only program—the only program—implemented by the USDA that directly helps minority farmers who are losing their farms at a rate that far exceeds their White counterparts.

Mr. Chairman, the USDA has already paid over $1 billion to settle discrimination lawsuits. By investing in the 2501 program, we can improve relationships between the USDA and socially disadvantaged farmers and prevent future lawsuits. This is a small investment that could potentially save millions in the future. I therefore, Mr. Chairman, urge my colleagues to support this amendment.

Mr. Chairman, I rise to urge my colleagues to support the Baca-Butterfield-Hinojosa-Thompson amendment to increase funding for the USDA education grants program for Hispanic-serving institutions and for the Minority Rancher and Farmer Program. I would like to thank my colleague from California, my good friend, Mr. BACA, for his leadership role in building the capacity for our community to fully participate and contribute to the USDA research agenda.

I am also pleased to join in partnership with Mr. BUTTERFIELD and Mr. THOMPSON to offer this amendment to advance equality and equity in the agriculture sector.

I would especially like to thank the chairman, my colleague from Texas, Mr. BONILLA, for working with us to craft an amendment that could draw bipartisan support.

The minority farmer and rancher outreach and technical assistance program provides outreach and technical assistance to encourage and assist socially disadvantaged farmers and ranchers in owning and operating farms and ranches as well as participating equitably in the full range of agricultural programs offered by the USDA.

My region is home to a large number of hispanic farmers, and their numbers are growing. our nation is stronger when our minority farmers and ranchers are successful, and this program is a modest investment to advance that success.

The competitive USDA/HSI grant program is designed to promote and strengthen the ability of HSIs to carry out education programs that attract, retain, and graduate outstanding students capable of enhancing the nation's food and agricultural scientific and professional work force.

This program is making a difference in my community and across the nation.

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

Our amendment is a modest step in that direction.

I strongly urge my colleagues to support this amendment.

Mr. AL GREEN of Texas. Mr. Chairman, I rise to speak on behalf of some of our most vulnerable Americans who are being denied access to needed and I underscore needed food stamps because of states eliminating face-to-face interviews.

Mr. Chairman, I speak on behalf of children, the elderly, the disabled and those with limited literacy. And I regret that they are not here to speak for them selves. Because if they were here to speak for themselves, they would tell you about the 20 minute phone waits, they would tell you about the phone calls that have been abandoned because they had to wait too long (44 percent per the USDA). They would tell you about the inability to use the phone because they can't speak; the inability to use the phone because they can't hear; they would tell you about the lack of computer access and the lack of computer literacy. This amendment assures a user friendly system for some of our most vulnerable Americans. I speak for them, I stand for them, I cast my vote for them.

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. FALEOMAVAEGA

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

The Clerk read as follows:

Amendment offered by Mr. FALEOMAVAEGA:

Page 13, line 19, after the dollar amount, insert ''(decreased by $200,000)''.

Page 15, line 2, after the dollar amount, insert ''(increased by $200,000)''.

Mr. FALEOMAVAEGA. Mr. Chairman, I first would like to express my appreciation to Chairman BONILLA and our senior ranking member, Ms. DELAURO, for allowing me this opportunity to introduce this amendment on behalf of my colleagues, the gentleman from Puerto Rico (Mr. FORTUÑO), the gentlewoman from Guam (Ms. BORDALLO), and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN).

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

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

Mr. BONILLA. Mr. Chairman, we have reviewed the amendment and would be happy to accept it. If the gentleman would like to submit his remarks for the RECORD, we can accept the amendment and move on.

Mr. FALEOMAVAEGA. I thank the distinguished chairman and the ranking member for their support of my amendment.

Mr. Chairman, the bill as reported by the committee provides five hundred thousand dollars for the Resident Instruction Grants Program for Institutions of Higher Education in the Insular Areas. Our amendment would increase this amount by two hundred thousand dollars for a total of seven hundred thousand dollars for this program.

The Resident Instruction Grants Program is a competitively-awarded program administered by the Cooperative State Research, Education, and Extension Service of the United States Department of Agriculture. The Program is authorized by Section 7503 of the Farm Security and Rural Investment Act of 2002.

Resident Instruction Grants, as described by C-S-R-E-E-S, are designed to promote and strengthen the ability of institutions in the insular areas to carry out teaching and education programs within the food and agricultural sciences and related disciplines. This Program helps the land-grant institutions in the territories meet their unique needs by strengthening their institutional educational capacities in instruction and curriculum, and by enhancing the quality of teaching and learning. Funding this program at a more sufficient level will allow for a more efficient use of existing educational funds by the institutions in the territories. Partnerships between faculties at insular area and mainland institutions can be forged with continued and increased funding for this program.

The amendment would reduce the amount appropriated for the National Research Initiative competitive grants program by a corresponding amount to ensure budget neutrality. The NRI is slated to receive roughly a five percent increase over the Fiscal Year 2006 level under this bill. The Congressional Budget Office has reviewed this amendment and determined that it is budget neutral.

Adoption of this amendment would fund the Resident Instruction Grants Program at an amount closer to what my colleagues from the territories and I have requested in this cycle. The additional two hundred thousand that this amendment would provide is still below the amount my colleagues and I originally requested. This figure is also below the amount recommended for this program by the National Association of State Universities and Land-Grant Colleges.

Mr. Chairman, for the past three fiscal years my colleagues and I have requested a level of funding for this program proportional to the level provided under this bill for historically black colleges and universities, Hispanic-serving institutions and tribal colleges. The land grant institutions in our districts, in ways similar to the 1890 and 1994 institutions, are underserved and have unique needs that deserve to be addressed.

We have written to the subcommittee chairman and to the ranking member to request their support for the Resident Instruction Grants Program. We have done so most recently as of last week regarding this specific amendment, a version of which was preprinted in the May 16 CONGRESSIONAL RECORD by my colleague from Guam, Ms. BORDALLO. We are grateful Mr. Chairman that Chairman BONILLA has recognized the unique needs of the land-grant institutions in the insular areas. He understands their potential to contribute more substantially with USDA support to national agricultural research missions.

This Program was first funded two years ago with the support of Chairman BONILLA and our colleague from Ohio, Ms. KAPTUR. This program is important to strengthening the curriculum in the agricultural and food sciences in the territories. The territorial colleges were designated by Congress in 1972 as part of the land grant university system, and are considered 1862 institutions. They include American Samoa Community College, the University of Guam, the University of the Virgin Islands, the University of Puerto Rico at Mayaguez, Northern Marianas College, and the College of Micronesia in Palau, Pohnpei, and the Marshall Islands.

The institutions in the territories do not have the advantage of housing long-established and historically well-funded agricultural and food science programs as do many of the flagship programs within the 1862 institutions. Our institutions boast a much smaller faculty and student enrollment compared with the most reputable 1862 institutions on the U.S. mainland. Our institutions also do not have the capability and capacity, from an institutional perspective, to effectively compete for National Research Initiative dollars at the national level. The inherent disadvantages experienced by our institutions are significant concerns from a policy standpoint. We seek to address these concerns with the amendment.

The amendment simply recognizes that the 1972 community—the land grant in the territories—should have the ability to compete amongst themselves for research and instruction grants. This amendment would afford them that opportunity. I hope the gentleman from Texas, Chairman BONILLA, and the gentle lady from Connecticut, Ms. DELAURO, can support this amendment and, provided that it is adopted, will work to support this increased level of funding in conference with the other body.

I thank the gentleman from Texas for committing the first funds for this program two years ago and for his continued support of the land-grant colleges in the territories. I also want to thank Mr. Chairman, the Ranking Member for her support, as well as the assistance of Martin Delgado and Martha Foley of the subcommittee staff. This program is important to us and to our institutions in the territories. We hope we can strengthen the Resident Instruction Grants Program in future years, but we recognize that the modest increase proposed by this amendment is a good start. I urge adoption of this amendment.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from American Samoa (Mr. FALEOMAVAEGA).

The amendment was agreed to.

The Acting CHAIRMAN. The Clerk will read.

The Clerk read as follows:

NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

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

EXTENSION ACTIVITIES

For payments to States, the District of Columbia, Puerto Rico, Guam, the Virgin Islands, Micronesia, Northern Marianas, and American Samoa, $457,042,000, as follows: payments for cooperative extension work under the Smith-Lever Act, to be distributed under sections 3(b) and 3(c) of said Act, and under section 208(c) of Public Law 93–471, for retirement and employees' compensation costs for extension agents, $281,429,000; payments for extension work at the 1994 Institutions under the Smith-Lever Act (7 U.S.C. 343(b)(3)), $3,273,000; payments for the nutrition and family education program for low-income areas under section 3(d) of the Act, $62,634,000; payments for the pest management program under section 3(d) of the Act, $10,152,000; payments for the farm safety program under section 3(d) of the Act, $4,517,000;

payments for New Technologies for Ag Extension under Section 3(d) of the Act, $1,985,000; payments to upgrade research, extension, and teaching facilities at the 1890 land-grant colleges, including Tuskegee University and West Virginia State University, as authorized by section 1447 of Public Law 95–113 (7 U.S.C. 3222b), $16,777,000, to remain available until expended; payments for youth-at-risk programs under section 3(d) of the Smith-Lever Act, $8,396,000; for youth farm safety education and certification extension grants, to be awarded competitively under section 3(d) of the Act, $494,000; payments for carrying out the provisions of the Renewable Resources Extension Act of 1978 (16 U.S.C. 1671 et seq.), $4,052,000; payments for federally-recognized Tribes Extension Program under section 3(d) of the Smith-Lever Act, $3,000,000; payments for sustainable agriculture programs under section 3(d) of the Act, $4,067,000; payments for rural health and safety education as authorized by section 502(i) of Public Law 92–419 (7 U.S.C. 2662(i)), $1,945,000; payments for cooperative extension work by the colleges receiving the benefits of the second Morrill Act (7 U.S.C. 321–326 and 328) and Tuskegee University and West Virginia State University, $34,073,000, of which $1,724,884 shall be made available only for the purpose of ensuring that each institution shall receive no less than $1,000,000; for grants to youth organizations pursuant to section 7630 of title 7, United States Code, $2,000,000; and for necessary expenses of Extension Activities, $18,248,000.

INTEGRATED ACTIVITIES

For the integrated research, education, and extension grants programs, including necessary administrative expenses, $55,234,000, as follows: for competitive grants programs authorized under section 406 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7626), $45,792,000, including $11,278,000 for the water quality program, $12,997,000 for the food safety program, $3,890,000 for the regional pest management centers program, $4,219,000 for the Food Quality Protection Act risk mitigation program for major food crop systems, $1,275,000 for the crops affected by Food Quality Protection Act implementation, $3,075,000 for the methyl bromide transition program, and $1,855,000 for the organic transition program; for a competitive international science and education grants program authorized under section 1459A of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3292b), to remain available until expended, $990,000; for grants programs authorized under section 2(c)(1)(B) of Public Law 89–106, as amended, $1,000,000, to remain available until September 30, 2008 for the critical issues program; and $1,378,000, for the regional rural development centers program; $2,277,000 for asian soybean rust; and $11,000,000 for the Food and Agriculture Defense Initiative authorized under section 1484 of the National Agricultural Research, Extension, and Teaching Act of 1977, to remain available until September 30, 2008.

OUTREACH FOR SOCIALLY DISADVANTAGED FARMERS

For grants and contracts pursuant to section 2501 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279), $6,930,000, to remain available until expended.

OFFICE OF THE UNDER SECRETARY FOR MARKETING AND REGULATORY PROGRAMS

For necessary salaries and expenses of the Office of the Under Secretary for Marketing and Regulatory Programs to administer programs under the laws enacted by the Congress for the Animal and Plant Health Inspection Service; the Agricultural Marketing Service; and the Grain Inspection, Packers and Stockyards Administration; $741,000.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For expenses, not otherwise provided for, necessary to prevent, control, and eradicate pests and plant and animal diseases; to carry out inspection, quarantine, and regulatory activities; and to protect the environment, as authorized by law, $898,116,000, of which $4,127,000 shall be available for the control of outbreaks of insects, plant diseases, animal diseases and for control of pest animals and birds to the extent necessary to meet emergency conditions; of which $40,269,000 shall be used for the Cotton Pests program for cost share purposes or for debt retirement for active eradication zones; of which $33,107,000 shall be available for a National Animal Identification program; of which $47,205,000 shall be used to conduct a surveillance and preparedness program for highly pathogenic avian influenza: *Provided,* That no funds shall be used to formulate or administer a brucellosis eradication program for the current fiscal year that does not require minimum matching by the States of at least 40 percent: *Provided further,* That none of the funds appropriated under this heading for the National Animal Identification program may be obligated until the Committee on Appropriations of the House of Representatives receives from the Secretary a complete and detailed plan for the National Animal Identification System, including, but not limited to, proposed legislative changes, cost estimates, and means of program evaluation, and such plan is published as an Advanced Notice of Proposed Rulemaking in the Federal Register for comment by interested parties: *Provided further,* That this appropriation shall be available for the operation and maintenance of aircraft and the purchase of not to exceed four, of which two shall be for replacement only: *Provided further,* That, in addition, in emergencies which threaten any segment of the agricultural production industry of this country, the Secretary may transfer from other appropriations or funds available to the agencies or corporations of the Department such sums as may be deemed necessary, to be available only in such emergencies for the arrest and eradication of contagious or infectious disease or pests of animals, poultry, or plants, and for expenses in accordance with sections 10411 and 10417 of the Animal Health Protection Act (7 U.S.C. 8310 and 8316) and sections 431 and 442 of the Plant Protection Act (7 U.S.C. 7751 and 7772), and any unexpended balances of funds transferred for such emergency purposes in the preceding fiscal year shall be merged with such transferred amounts: *Provided further,* That appropriations hereunder shall be available pursuant to law (7 U.S.C. 2250) for the repair and alteration of leased buildings and improvements, but unless otherwise provided the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

AMENDMENT OFFERED BY MR. KUCINICH

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

The Clerk read as follows:

Amendment offered by Mr. KUCINICH:

Page 19, line 8, insert after the first dollar amount the following: ''(reduced by $89,000,000)(increased by $89,000,000)''.

Mr. KUCINICH. Mr. Chairman, my amendment would maintain current testing levels for mad cow disease. The underlying bill already appropriates the same amount as that appropriated in fiscal year 2005. This amendment merely calls for the same funding levels using the same funding mechanism.

Until the United States Department of Agriculture stumbled upon America's first case of mad cow disease, testing rates were abysmally low. Out of 35 million cattle slaughtered annually, the USDA tested 20,000 in fiscal year 2003. Out of every 10,000 cattle that went to the dinner table, only six were tested.

Then came the first case of mad cow in the U.S., that we know of. The USDA ramped up the testing rate significantly, but only after considerable public pressure. Six months after the positive test in fiscal year 2005, the USDA tested at the rate of 100 cattle tested for every 10,000 slaughtered. Another way of looking at it is 99 percent were untested even after a major increase in testing rates. Though still inadequate, it was a big improvement.

Contrast that with the other industrialized nations, many of whom did not know the extent to which their countries harbored mad cow disease until they got serious with their testing program. France and Germany test over half their cattle. The U.K. tests all cattle over 24 months old. Japan tests every single one.

So far, even with an untested rate of 99 percent, we managed to find a total of three cases in the United States. When we looked, we found cases. Even the USDA predicts undetected cases exist in the U.S.

Now their illogical response is to try to drastically cut back its testing rates again. It is not enough of a gift to the large cattle producers that 99 percent of the cattle do not go tested. Do we have to do more for them at the expense of public health? So now 99.9 percent will go untested?

Now, you could almost call this a we-aren't-looking-so-it-is-not-there policy. And this policy is built on the assumption that we have a firewall in place that prevents infected material from getting into the food supply.

By banning high-risk material like cattle brains and spinal cord from cattle feed, we are supposedly preventing any infected cow from contaminating other cattle. This is an important part of our efforts, because mad cow disease spreads when cattle eat infected parts of other cattle. And yet scientists, advocates, the Inspector General and the GAO have detailed the ways in which this practice is still allowed because of gaping holes in the firewall.

Consider that the infectious material can be found in materials that are allowed to be fed to cattle. Bone marrow, cow blood, peripheral nerves, tongue and now some muscles are well-known or suspected to contain the same infectious agent called a prion.

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And they are all still allowed in animal feed. There is very little protection for cattle under 30 months. The

justification is, we do not expect to see the disease in younger cattle. But at least two cases in Japan, 19 cases in the UK and 20 cases in the European Union have occurred in cattle under 30 months old.

This level of protection failed to end the epidemic in the UK. Enforcement of the firewall has been weak. The GAO found on three separate occasions, including 2005, that even the meager laws designed to keep cattle from eating cattle were being poorly enforced.

Finally, we must not forget that the USDA is in favor of this ''do not look, do not find'' policy. When testing results for a cow in Texas were inconclusive in November of 2004, the USDA declared the cow to be free of Mad Cow Disease. But, again, after a public outcry and a public admonition from the inspector general, the cow was tested 7 months later and was found to be positive. And now the USDA wants to reduce testing rates without adequate protections to ensure the disease cannot be amplified through industrial agriculture practice. We need a backstop.

Mr. Chairman, we need a way to know for sure whether our so called firewall is working. Surveillance is the way to do that. But we are taking an already weak program and undermining it; 99.9 percent of our cattle will not be tested unless we signal to the USDA that Congress demands otherwise.

Mr. Chairman, I am asking for support for my amendment to keep the same level of testing we are using right now. This is the level that proved what we all knew despite reassurances to the contrary, that undetected Mad Cow Disease is here in the United States.

We must test to build the confidence of both domestic and foreign consumers of American beef.

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

Mr. Chairman, I rise to oppose the amendment. And I want to explain to the gentleman from Ohio why, because I know he has got a serious concern here. Let me assure the gentleman that there is not a Member in this House of Representatives that is not concerned about BSE.

But sometimes some fringe groups in this country and big media start talking about the sky is falling, and you have got to do this, that or the other to check our beef supply, but for the most part, I am proud of what this country has done to monitor BSE. I mean, nobody, most people that serve in the House have children; they have families, and no one wants to expose anyone to anything dangerous to eat.

USDA has had an enhanced surveillance program going since the spring of 2004, they have tested 700,000 cattle. They have had two positive tests. USDA is evaluating data from the enhanced surveillance program to design a maintenance surveillance program. The data and design are being peer reviewed by an outside group who will report findings within a month.

Under any surveillance program, the U.S. will continue to test 100 percent of animals that have signs of a central nervous system disorder. Any BSE program USDA adopts will meet or exceed international standards.

Again, to compare our standards to another country that has a minimal industry versus what we have in this country is absolutely not fair and comparing apples to oranges. No country tests 100 percent of its cattle.

The budget request covers 40,000 tests per year. However, if the peer review panel or USDA determine that more than 40,000 are needed, the Secretary has the ability to access additional funds. I can assure you that if more tests need to be done to affirm the safety of the food supply, they will be done.

Again, I can assure the gentleman that I have no less concern about this issue than he does. And I understand, I have read the gentleman's amendment. It is a very short amendment. It is going to take money out of a line item, put it back into a line item in the appropriations bill.

Mr. Chairman, I can assure the gentleman that the points have been made. This is, again, not going to change one dollar in the bill. So now that we have had this discussion, maybe the gentleman would consider withdrawing the amendment unless he has an additional comment that he would like to make.

I would yield for a response.

Mr. KUCINICH. If the gentleman would yield. I thank the gentleman. I think that the gentleman's expression of concern that is shared by all Members of Congress is correct. I appreciate you voicing it.

I want to point out that the feed ban, which is an underlying problem here, and the USDA insists is strong, in reality is so weak that you have companies like McDonalds, Cargill, Purina Mills, and even Pharma, the pharmaceutical industry publicly calling for closing the loopholes.

So while I would agree with you, that if there were an outbreak, the Secretary would advance more funds, I am also concerned that if we do not keep the present funding levels, that we may not know if there is a problem. So that is why I brought this amendment, Mr. Chairman.

I would reluctantly ask for the amendment to be voted on, only because of that underlying concern that there is not enough, and we should just keep things the way they are at the current levels and not cut back on them. That is what my concern is.

Mr. BONILLA. Mr. Chairman, I appreciate the gentleman's position, because I know he brings a great deal of sincerity to the floor when he has an amendment. In closing, I would just comment on how no matter what business you have that sells beef to the public, whether it is a fast food chain or a single restaurant, doesn't the gentleman understand that that industry in itself, that the gentleman mentioned, would do everything humanly possible to keep the beef supply safe?

So I know the gentleman is not making insinuations beyond what he is saying today. But there are a lot of groups out there that somehow try to scare the American people into thinking that this is not happening. But I can assure the gentleman, again, that there is no less concern on this side of the aisle about this issue than he has.

Ms. DELAURO. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in support of the gentleman's amendment because I, too, am very, very concerned that the USDA is deciding or may decide to lower the number of BSE tests that are performed annually. I spent some time in this area.

Since the enhanced testing program began, the Inspector General of the USDA has raised series concerns about the current enhanced surveillance program. We have raised concerns with the USDA agencies in hearings and in private conversations.

Let me just give you just a little bit of information. For example, 2004, the IG reported serious problems with the testing program, including sampling was not random, and APHIS had not exercised the authority it had to collect the samples. Geographic representation in the testing was not assured. Cattle with central nervous system symptoms were not always tested. Because of interagency confusion, a process for getting samples of animals that die on the farm, those who are at the highest risk, was not in place.

More recently, the IG found that senior APHIS officials blocked the recommendations of scientists at the National Veterinary Services Laboratory in Ames, Iowa, for additional BSE testing on a sample that had tested positive initially several times.

Faced with the conflicting results, the scientists recommended additional testing to resolve the discrepancy. APHIS headquarter officials concluded no further testing was necessary, because testing protocols were followed. In the end, it was the IG who decided the additional testing should take place. It was done by AIS and the British lab at Weybridge who both found that the sample tested positively for BSE.

The IG also made shocking findings about the quality assurance and the BSE testing program at the NVSL, the National Veterinary Service Laboratory, such as the lack of adequate controls and procedures to ensure the quality or capability of the BSE testing program, the failure to implement an adequate quality assurance program for its own laboratory testing procedures, or to obtain internationally recognized accreditation for its BSE testing program.

Those are our concerns. That is what I was trying to lay out here, and flaws in the program, the existing program. It does not make sense to return to a lower level of BSE testing. I support the amendment.

I yield to the gentleman from Ohio.

Mr. KUCINICH. I thank the gentlewoman from Connecticut.

As the gentlewoman has pointed out, we have questions about the current testing practices at the current funding levels. If we reduce substantially the funding levels, with the thought that we have flaws in the current test and practices, what could the consumers expect?

I mean, what the gentlewoman has suggested is that the USDA in this regard has not been doing its job. Part of its job is to advocate for defects for which the world has told us they do not want beef from the United States if they cannot be assured of its safety.

Mr. Chairman, in same way you can say that the USDA is sabotaging U.S. beef exports by its failure to have the kind of program that people have a right to expect with the money that has already been appropriated; if that money is cut, it essentially plays into the USDA's lack of performance. So I want to thank the gentlewoman for bringing that up. I, again, want to let the chairman know that I am convinced on his commitment to this.

I believe that he wants to make sure that there is safety here. And I just feel that it is important to bring this up and to call for a vote on it.

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

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

Mr. GOODLATTE. Mr. Chairman, I rise to join Chairman BONILLA in opposition to this amendment.

Mr. Chairman, the most important thing that should come out of this debate is that the American beef supply is very, very safe, the safest in the world. And that is based not only on the statistics maintained by the Department on food-borne illness, the lowest in the world, but also based on the fact that there is no evidence of any American ever contracting any disease from BSE based upon consuming American beef, ever.

The enhanced surveillance program for BSE was designed as a one-time intensive assessment to test as many animals as possible from the portion of the cattle population considered to be most at risk for BSE.

A surveillance program is not designed to test every single animal at risk for a disease, and surveillance is not a food safety measure. Surveillance testing looks for signs of the disease in the cattle herd. But it is USDA's other safeguards, such as the removal of specified risk materials from cattle at slaughter, that protect consumers and the food supply.

USDA has tested over 714,000 samples. And they have tested the greatest at-risk cattle for having BSE. It has cost us more than $1 million a week to do it. The USDA's analysis of that surveillance data shows that we are dealing with an incredibly low prevalence of the disease in the United States, no more than four to seven cases in the entire U.S. herd of 100 million cows.

What is more, because of the other practices, even if a cow has BSE, like four to seven may have, they are not getting into our food supply. The two cows that have been found so far in this country with BSE, neither one got into our food supply. The USDA is currently putting its analysis through a rigorous peer review process to ensure that the conclusions drawn are sound and that they are scientifically credible.

We should allow that process to go forward. The enhanced surveillance program gives the USDA the ability to stand on solid scientific ground in saying that the prevalence of BSE in the United States is extraordinarily low.

Mr. Chairman, given that fact, there is little justification for continuing surveillance at the enhanced level once the USDA analysis is affirmed by peer review. The USDA has said that the framework for ongoing BSE testing will be based in science and will be in line with international guidelines for a country like the United States that is at minimal risk for the disease.

Mr. Chairman, we now have the data to draw scientific specific conclusions, leaving no need to continue the enhanced program and no justifications for the related costs. Surveillance testing is distinct from food-safety testing, which we also conduct.

It is appropriate that the USDA will transition to ongoing testing for BSE from a standpoint of sound science and policy.

Mr. Chairman, I urge my colleagues to oppose this amendment.

Mr. KUCINICH. Mr. Chairman, after conferring with the Chair and the ranking member, I decided that it looks like they are really engaged in this to keep on the USDA, so I am going to withdraw the amendment.

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

There was no objection.

The Acting CHAIRMAN. The Clerk will read.

The Clerk read as follows:

In fiscal year 2007, the agency is authorized to collect fees to cover the total costs of providing technical assistance, goods, or services requested by States, other political subdivisions, domestic and international organizations, foreign governments, or individuals, provided that such fees are structured such that any entity's liability for such fees is reasonably based on the technical assistance, goods, or services provided to the entity by the agency, and such fees shall be credited to this account, to remain available until expended, without further appropriation, for providing such assistance, goods, or services.

BUILDINGS AND FACILITIES

For plans, construction, repair, preventive maintenance, environmental support, improvement, extension, alteration, and purchase of fixed equipment or facilities, as authorized by 7 U.S.C. 2250, and acquisition of land as authorized by 7 U.S.C. 428a, $5,946,000, to remain available until expended.

AGRICULTURAL MARKETING SERVICE

MARKETING SERVICES

For necessary expenses to carry out services related to consumer protection, agricultural marketing and distribution, transportation, and regulatory programs, as authorized by law, and for administration and coordination of payments to States, $77,269,000, including funds for the wholesale market development program for the design and development of wholesale and farmer market facilities for the major metropolitan areas of the country: *Provided*, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

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

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed $62,211,000 (from fees collected) shall be obligated during the current fiscal year for administrative expenses: *Provided*, That if crop size is understated and/or other uncontrollable events occur, the agency may exceed this limitation by up to 10 percent with notification to the Committees on Appropriations of both Houses of Congress.

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

(INCLUDING TRANSFERS OF FUNDS)

Funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), shall be used only for commodity program expenses as authorized therein, and other related operating expenses, including not less than $9,900,000 for replacement of a system to support commodity purchases, except for: (1) transfers to the Department of Commerce as authorized by the Fish and Wildlife Act of August 8, 1956; (2) transfers otherwise provided in this Act; and (3) not more than $16,425,000 for formulation and administration of marketing agreements and orders pursuant to the Agricultural Marketing Agreement Act of 1937 and the Agricultural Act of 1961.

PAYMENTS TO STATES AND POSSESSIONS

For payments to departments of agriculture, bureaus and departments of markets, and similar agencies for marketing activities under section 204(b) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1623(b)), $1,334,000.

GRAIN INSPECTION, PACKERS AND STOCKYARDS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of the United States Grain Standards Act, for the administration of the Packers and Stockyards Act, for certifying procedures used to protect purchasers of farm products, and the standardization activities related to grain under the Agricultural Marketing Act of 1946, $39,737,000: *Provided*, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

LIMITATION ON INSPECTION AND WEIGHING SERVICES EXPENSES

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

OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

For necessary salaries and expenses of the Office of the Under Secretary for Food Safety to administer the laws enacted by the Congress for the Food Safety and Inspection Service, $656,000.

FOOD SAFETY AND INSPECTION SERVICE

For necessary expenses to carry out services authorized by the Federal Meat Inspection Act, the Poultry Products Inspection Act, and the Egg Products Inspection Act, including not to exceed $50,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), $853,249,000, of which no less than $766,290,000 shall be available for Federal food safety and inspection; and in addition, $1,000,000 may be credited to this account from fees collected for the cost of laboratory accreditation as authorized by section 1327 of the Food, Agriculture, Conservation and Trade Act of 1990 (7 U.S.C. 138f): *Provided,* That of the total amount made available under this heading, no less than $20,653,000 shall be obligated for regulatory and scientific training: *Provided further,* That not to exceed $565,000 is for construction of a laboratory sample receiving facility at the Russell Research Center in Athens, Georgia: *Provided further,* That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

FARM ASSISTANCE PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR FARM AND FOREIGN AGRICULTURAL SERVICES

For necessary salaries and expenses of the Office of the Under Secretary for Farm and Foreign Agricultural Services to administer the laws enacted by Congress for the Farm Service Agency, the Foreign Agricultural Service, the Risk Management Agency, and the Commodity Credit Corporation, $691,000.

FARM SERVICE AGENCY

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for carrying out the administration and implementation of programs administered by the Farm Service Agency, $1,053,760,000: *Provided,* That the Secretary is authorized to use the services, facilities, and authorities (but not the funds) of the Commodity Credit Corporation to make program payments for all programs administered by the Agency: *Provided further,* That other funds made available to the Agency for authorized activities may be advanced to and merged with this account: *Provided further,* That none of the funds made available by this Act may be used to pay the salaries or expenses of any officer or employee of the Department of Agriculture to close any local or county office of the Farm Service Agency unless the Secretary of Agriculture, not later than 30 days after the date on which the Secretary proposed the closure, holds a public meeting about the proposed closure in the county in which the local or county office is located, and, after the public meeting but not later than 120 days before the date on which the Secretary approves the closure, notifies the Committee on Agriculture and the Committee on Appropriations of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry and the Committee on Appropriations of the Senate, and the members of Congress from the State in which the local or county office is located of the proposed closure.

□ 1415

AMENDMENT OFFERED BY MR. RYAN OF OHIO

Mr. RYAN of Ohio. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RYAN of Ohio:

Page 27, line 1, strike ''after'' and insert ''before''.

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

The Acting CHAIRMAN. A point of order is reserved.

Mr. RYAN of Ohio. Mr. Chairman, my amendment would simply strike the word ''after'' and insert ''before'' in the section of the bill dealing with the Farm Service Agency.

The amendment at hand would allow for the public hearing to take place no later than 30 days before and not after the Secretary of Agriculture allows for an office closure.

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

Mr. RYAN of Ohio. I yield to the gentleman from Texas.

Mr. BONILLA. Mr. Chairman, we have reviewed the amendment and would be happy to accept the amendment. If the gentleman would take ''yes'' for an answer and submit his remarks for the RECORD, we could move on.

Mr. RYAN of Ohio. I would be happy to, Mr. Chairman.

Mr. BONILLA. I withdraw my reservation of the point of order.

Mr. RYAN of Ohio. I thank the chairman and I thank Ms. DELAURO.

Thank you Mr. Chairman, Chairman BONILLA and Ranking Member DELAURO and the staff on the Agriculture Appropriations Subcommittee.

My amendment would simply strike the word "after" and insert "before" in the section of the bill dealing with the Farm Service Agency. The amendment at hand would allow for the public hearing to take place no later than 30 days before—and not after—the Secretary of Agriculture allows for an office closure.

In this section of the current bill, language had been put in place to safeguard local FSA offices from inappropriate closure and relocation. In current form, the Secretary of the Department of Agriculture would be able to propose an office closure—and then after the closure is proposed, then hold a public hearing. This language was in last years Agriculture Appropriations Bill—and we thought this would help the process and allow for local public input before any office closures were proposed.

The reason for this amendment is due to my profound concerns of what is currently taking place in Ohio. Last month I was contacted by local producers in my district concerned that their local FSA office would be closed.

My office received a copy of the proposed "county office reorganization" as provided by the Ohio State FSA Committee, and I was surprised to see this proposal as there has been no involvement from my local county FSA committees or local producers.

In a memo sent from Administrator Teresa Lasseter (USDA) to all State FSA Executive Directors on January 13, 2006, she states, "Further, USDA agrees with the long-standing intent of Congress that office closures and relocations should occur based on rigorous analysis to ensure actions are cost-effective and will better serve the public."

The bottom line is that we need to have complete information about the needs of family farmers and ranchers before we or the Department makes radical decisions about FSA Personnel levels.

This process should start at the county committees and involve an office-by-office and regional analysis. Only then, can our State FSA offices and the USDA make the best decisions on office closures and relocations.

I understand the need for efficiency, but we must be concerned about how this will impact our family farmers and agricultural communities. In most of our counties, our farmers know that they can drive to one place to access their FSA, NRCS, SWCD and Extension. This is the place where they access the Internet, the fax machine and socialize with others in their community.

Again, my amendment only says that the public hearing be 30 days prior to closure, rather than after the closure has been proposed. Please help in supporting the family farmers in your district and support this fair and simple amendment.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio.

The amendment was agreed to.

The Acting CHAIRMAN. The Clerk will read.

The Clerk read as follows:

STATE MEDIATION GRANTS

For grants pursuant to section 502(b) of the Agricultural Credit Act of 1987, as amended (7 U.S.C. 5101–5106), $4,208,000.

GRASSROOTS SOURCE WATER PROTECTION PROGRAM

For necessary expenses to carry out wellhead or groundwater protection activities under section 1240O of the Food Security Act of 1985 (16 U.S.C. 3839bb–2), $3,713,000, to remain available until expended.

DAIRY INDEMNITY PROGRAM

(INCLUDING TRANSFER OF FUNDS)

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

AGRICULTURAL CREDIT INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed farm ownership (7 U.S.C. 1922 et seq.) and operating (7 U.S.C. 1941 et seq.) loans, Indian tribe land acquisition loans (25 U.S.C. 488), and boll weevil loans (7 U.S.C. 1989), to be available from funds in the Agricultural Credit Insurance Fund, as follows: farm ownership loans, $1,422,750,000, of which $1,200,000,000 shall be for unsubsidized guaranteed loans and $222,750,000 shall be for direct loans; operating loans, $2,065,754,000, of which $1,150,000,000 shall be for unsubsidized guaranteed loans, $272,254,000 shall be for subsidized guaranteed loans and $643,500,000 shall be for direct loans; Indian tribe land acquisition loans, $3,960,000; and for boll weevil eradication program loans, $59,400,000: *Provided,* That the Secretary shall deem the

pink bollworm to be a boll weevil for the purpose of boll weevil eradication program loans.

For the cost of direct and guaranteed loans, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, as follows: farm ownership loans, $16,293,000, of which $6,960,000 shall be for guaranteed loans, and $9,333,000 shall be for direct loans; operating loans, $131,046,000, of which $28,405,000 shall be for unsubsidized guaranteed loans, $27,416,000 shall be for subsidized guaranteed loans, and $75,225,000 shall be for direct loans; Indian tribe land acquisition loans, $838,000; and for boll weevil eradication program loans, $1,129,000.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $315,258,000, of which $307,338,000 shall be transferred to and merged with the appropriation for ''Farm Service Agency, Salaries and Expenses''.

Funds appropriated by this Act to the Agricultural Credit Insurance Program Account for farm ownership and operating direct loans and guaranteed loans may be transferred among these programs: *Provided,* That the Committees on Appropriations of both Houses of Congress are notified at least 15 days in advance of any transfer: *Provided further,* That none of the funds appropriated or otherwise made available by this Act shall be used to pay the salaries and expenses of personnel to collect from the lender an annual fee on unsubsidized guaranteed operating loans, a guarantee fee of more than one percent of the principal obligation of guaranteed unsubsidized operating or ownership loans, or a guarantee fee on subsidized guaranteed operating loans administered by the Farm Service Agency.

RISK MANAGEMENT AGENCY

For administrative and operating expenses, as authorized by section 226A of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6933), $77,197,000: *Provided,* That not to exceed $1,000 shall be available for official reception and representation expenses, as authorized by 7 U.S.C. 1506(i).

CORPORATIONS

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

FEDERAL CROP INSURANCE CORPORATION FUND

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

COMMODITY CREDIT CORPORATION FUND

REIMBURSEMENT FOR NET REALIZED LOSSES

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

HAZARDOUS WASTE MANAGEMENT

(LIMITATION ON EXPENSES)

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

TITLE II

CONSERVATION PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR NATURAL RESOURCES AND ENVIRONMENT

For necessary salaries and expenses of the Office of the Under Secretary for Natural Resources and Environment to administer the laws enacted by the Congress for the Forest Service and the Natural Resources Conservation Service, $810,000.

AMENDMENT OFFERED BY MR. LUCAS

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

The Clerk read as follows:

Amendment offered by Mr. LUCAS:

Page 32, line 12, insert after the dollar amount the following: ''(reduced by $810,000)''.

Mr. LUCAS. Mr. Chairman, the purpose of the amendment is to remove $810,000 in salaries and expenses from the Office of the Under Secretary For the Natural Resources and the Environment.

Mr. Chairman, I have had the privilege since and during the 2002 farm bill of chairing the subcommittee with jurisdiction over the conservation programs. In the 2002 farm bill we did an outstanding job of bringing new and substantial resources to conservation. Since then I have had the privilege of working with Chairman BONILLA and the subcommittee on appropriations in making sure those resources are effectively put in the hands of producers out there to protect our environment, our soil, our water, our wildlife. But after a number of years, I have worked diligently to address problems in the technical assistance programs, how these problems are paid for, the implementation.

I must say after much frustration with working with the national office of the NRCS today I have to take action. In that I offer this amendment to set aside $810,000 so that when the Appropriations Committee begins the process of putting the final conference committee reports together this fall, that they will have the necessary ammunition to correct this situation.

I know it is a bold statement, and I know it is a serious thing; but making sure that the technical assistance dollars are available to local and State NRCS offices so that the farm bill programs, conservation programs can be implemented is of the greatest importance. And only after tremendous frustration as a subcommittee chairman on the authorizing committee do I take this bold and drastic step.

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

I would like to commend the gentleman from Oklahoma for his work on this issue. When a gentleman who works as hard and as sincerely as Mr. LUCAS does on this issue, it is just unconscionable that he cannot get the response that he needs.

This is a gentleman who does not ask for too much. He tries to be fair about the request that he has from the Department. I support the gentleman's amendment with enthusiasm. There is also, as an aside from the issues that he has addressed, it has been brought to my attention that there may be some inappropriate activity that has been conducted out of this office. We are not going to name names here, but there is a buddy who has the nickname by the name of ''chief'' or something like that that has been lobbying on behalf of their causes which is an unethical, illegal activity that has been conducted out of this office.

We need to get to the bottom of this as well as trying to address the gentleman from Oklahoma's issue. The gentleman brings a good amendment forward, and we are prepared to vote ''aye'' on it.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma.

The amendment was agreed to.

The Acting CHAIRMAN. The Clerk will read.

The Clerk read as follows:

NATURAL RESOURCES CONSERVATION SERVICE

CONSERVATION OPERATIONS

For necessary expenses for carrying out the provisions of the Act of April 27, 1935 (16 U.S.C. 590a–f), including preparation of conservation plans and establishment of measures to conserve soil and water (including farm irrigation and land drainage and such special measures for soil and water management as may be necessary to prevent floods and the siltation of reservoirs and to control agricultural related pollutants); operation of conservation plant materials centers; classification and mapping of soil; dissemination of information; acquisition of lands, water, and interests therein for use in the plant materials program by donation, exchange, or purchase at a nominal cost not to exceed $100 pursuant to the Act of August 3, 1956 (7 U.S.C. 428a); purchase and erection or alteration or improvement of permanent and temporary buildings; and operation and maintenance of aircraft, $791,498,000, to remain available until March 31, 2008, of which not less than $10,588,000 is for snow survey and water forecasting, and not less than $10,678,000 is for operation and establishment of the plant materials centers, and of which not less than $27,225,000 shall be for the grazing lands conservation initiative: *Provided,* That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for construction and improvement of buildings and public improvements at plant materials centers, except that the cost of alterations and improvements to other buildings and other public improvements shall not exceed $250,000: *Provided further,* That when buildings or other structures are erected on non-Federal land, that the right to use such land is obtained as provided in 7 U.S.C. 2250a: *Provided further,* That this appropriation shall be available for technical assistance and related expenses to carry out programs authorized by section 202(c) of title II of the Colorado River Basin Salinity Control Act of 1974

(43 U.S.C. 1592(c)): *Provided further,* That qualified local engineers may be temporarily employed at per diem rates to perform the technical planning work of the Service.

WATERSHED SURVEYS AND PLANNING

For necessary expenses to conduct research, investigation, and surveys of watersheds of rivers and other waterways, and for small watershed investigations and planning, in accordance with the Watershed Protection and Flood Prevention Act (16 U.S.C. 1001–1009), $6,022,000.

WATERSHED AND FLOOD PREVENTION OPERATIONS

For necessary expenses to carry out preventive measures, including but not limited to research, engineering operations, methods of cultivation, the growing of vegetation, rehabilitation of existing works and changes in use of land, in accordance with the Watershed Protection and Flood Prevention Act (16 U.S.C. 1001–1005 and 1007–1009), the provisions of the Act of April 27, 1935 (16 U.S.C. 590a–f), and in accordance with the provisions of laws relating to the activities of the Department, $40,000,000, to remain available until expended; of which up to $10,000,000 may be available for the watersheds authorized under the Flood Control Act (33 U.S.C. 701 and 16 U.S.C. 1006a): *Provided,* That not to exceed $20,000,000 of this appropriation shall be available for technical assistance: *Provided further,* That not to exceed $1,000,000 of this appropriation is available to carry out the purposes of the Endangered Species Act of 1973 (Public Law 93–205), including cooperative efforts as contemplated by that Act to relocate endangered or threatened species to other suitable habitats as may be necessary to expedite project construction.

WATERSHED REHABILITATION PROGRAM

For necessary expenses to carry out rehabilitation of structural measures, in accordance with section 14 of the Watershed Protection and Flood Prevention Act (16 U.S.C. 1012), and in accordance with the provisions of laws relating to the activities of the Department, $31,245,000, to remain available until expended.

RESOURCE CONSERVATION AND DEVELOPMENT

For necessary expenses in planning and carrying out projects for resource conservation and development and for sound land use pursuant to the provisions of sections 31 and 32 of the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1010–1011; 76 Stat. 607); the Act of April 27, 1935 (16 U.S.C. 590a–f); and subtitle H of title XV of the Agriculture and Food Act of 1981 (16 U.S.C. 3451–3461), $50,787,000, to remain available until expended: *Provided,* That the Secretary shall enter into a cooperative or contribution agreement, within 45 days of enactment of this Act, with a national association regarding a Resource Conservation and Development program and such agreement shall contain the same matching, contribution requirements, and funding level, set forth in a similar cooperative or contribution agreement with a national association in fiscal year 2002: *Provided further,* That not to exceed $3,411,000 shall be available for national headquarters activities.

TITLE III

RURAL DEVELOPMENT PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR RURAL DEVELOPMENT

For necessary salaries and expenses of the Office of the Under Secretary for Rural Development to administer programs under the laws enacted by the Congress for the Rural Housing Service, the Rural Business-Cooperative Service, and the Rural Utilities Service, $692,000.

RURAL COMMUNITY ADVANCEMENT PROGRAM

(INCLUDING TRANSFERS OF FUNDS)

For the cost of direct loans, loan guarantees, and grants, as authorized by 7 U.S.C. 1926, 1926a, 1926c, 1926d, and 1932, except for sections 381E–H and 381N of the Consolidated Farm and Rural Development Act, $699,893,000, to remain available until expended, of which $49,477,000 shall be for rural community programs described in section 381E(d)(1) of such Act; of which $561,252,000 shall be for the rural utilities programs described in sections 381E(d)(2), 306C(a)(2), and 306D of such Act, of which not to exceed $500,000 shall be available for the rural utilities program described in section 306(a)(2)(B) of such Act, and of which not to exceed $1,000,000 shall be available for the rural utilities program described in section 306E of such Act; and of which $89,164,000 shall be for the rural business and cooperative development programs described in sections 381E(d)(3) and 310B(f) of such Act: *Provided,* That of the total amount appropriated in this account, $24,000,000 shall be for loans and grants to benefit Federally Recognized Native American Tribes, including grants for drinking water and waste disposal systems pursuant to section 306C of such Act, of which $4,000,000 shall be available for community facilities grants to tribal colleges, as authorized by section 306(a)(19) of the Consolidated Farm and Rural Development Act, and of which $250,000 shall be available for a grant to a qualified national organization to provide technical assistance for rural transportation in order to promote economic development: *Provided further,* That of the amount appropriated for the rural business and cooperative development programs, not to exceed $500,000 shall be made available for a grant to a qualified national organization to provide technical assistance for rural transportation in order to promote economic development; $3,000,000 shall be for grants to the Delta Regional Authority (7 U.S.C. 1921 et seq.) for any purpose under this heading: *Provided further,* That of the amount appropriated for rural utilities programs, not to exceed $25,000,000 shall be for water and waste disposal systems to benefit the Colonias along the United States/Mexico border, including grants pursuant to section 306C of such Act; $16,215,000 shall be for technical assistance grants for rural water and waste systems pursuant to section 306(a)(14) of such Act, of which $5,600,000 shall be for Rural Community Assistance Programs; and not to exceed $14,000,000 shall be for contracting with qualified national organizations for a circuit rider program to provide technical assistance for rural water systems: *Provided further,* That of the total amount appropriated, not to exceed $22,800,000 shall be available through June 30, 2007, for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones; of which $1,100,000 shall be for the rural community programs described in section 381E(d)(1) of such Act, of which $13,400,000 shall be for the rural utilities programs described in section 381E(d)(2) of such Act, and of which $8,300,000 shall be for the rural business and cooperative development programs described in section 381E(d)(3) of such Act: *Provided further,* That any prior year balances for high cost energy grants authorized by section 19 of the Rural Electrification Act of 1936 (7 U.S.C. 901(19)) shall be transferred to and merged with the ''Rural Utilities Service, High Energy Costs Grants Account''.

AMENDMENT OFFERED BY MR. SANDERS

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

The Clerk read as follows:

Amendment offered by Mr. SANDERS:

Page 36, line 21, after the dollar amount, insert the following: ''(increased by $1,500,000) (reduced by $1,500,000)''.

Mr. SANDERS. Mr. Chairman, the purpose of this amendment is to provide $1.5 million in Federal funding for a revival of the National Agri-Tourism Initiative under the USDA Rural Community Advancement Program.

Mr. Chairman, I do not have to explain to anybody in this room that family farmers all over this country are in desperate condition. Commodity prices are extremely low, and we are seeing the loss of thousands and thousands of family farmers and the way of life that many rural communities in Vermont and throughout this country have known.

What this amendment does is pretty simple. What it says is that in many States like mine, people come to rural areas because they enjoy the beauty, the incredible beauty that farmers help create.

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

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

Mr. BONILLA. I would say to the gentleman that we would be happy to accept the gentleman's amendment, and if he could submit his remarks for the RECORD and he can take ''yes'' for an answer, we can move on.

Mr. SANDERS. I thank the chairman very much. I will be very brief. Just to say that I think we can all agree that we want to help family farmers increase their cash flow, and one of the ways we can do that is enable them to come up with ideas that will bring tourists to their farms, and that is what this amendment is about. It has worked well in Vermont up to now. I think it can work well all over the country. I thank the chairman very much for his support and Ms. DELAURO as well.

Mr. Chairman, the purpose of this amendment is to provide $1.5 million in Federal funding for a revival of the national agri-tourism initiative under the USDA Rural Community Advancement Program. This program received $1 million in the fiscal year 2000 Agriculture appropriations bill. The House provided $2 million in the fiscal year 2001 Agriculture appropriations bill, but unfortunately this funding was stripped in conference, and this program hasn't received funding since. Mr. Chairman, it is time to bring this program back to life. Family farmers today need all of the help that they can get if they are going to stay in business, and agri-tourism is one way to help them.

Mr. Chairman, it is imperative that in Vermont and throughout rural America we preserve family owned farms and maintain strong rural economies. As family farmers struggle to survive, it is important that we develop new sources of revenue for them. Reviving the national agri-tourism program will help family farmers increase their incomes. From creating advertising campaigns and working more closely with the tourism industry, to developing farmers' markets, food festivals, bed and breakfasts and farm tours, such programs have great potential for increasing the incomes of family farmers.

Mr. Chairman, family farmers throughout this country deserve more revenue from tourism than they are currently receiving. Many tourists come to rural America because of the beautiful agricultural landscape. Unfortunately, however, family farmers receive relatively little direct revenue from that tourism. This program will help put more tourists' dollars into the hands of our farmers and that is very important.

Specifically, Mr. Chairman, this amendment would help farmers with the knowledge, networks, markets and loans critical to starting-up farm-based businesses that take advantage of the tourism dollars coming into their States.

Let me give you some examples of what agri-tourism is all about and why we need additional help for family farmers to get involved in this growing enterprise. Family farmers throughout this country are converting their guest rooms to small bed and breakfast operations, and are making a few bucks in doing that. To be successful, they might need a loan to convert a room into a bed and breakfast, and they might need some help in learning how to market their enterprise.

Farmers are now encouraging tour buses to stop by and to learn what family agriculture is about. In order to be successful, they might need a loan or a small grant to build a restroom or a parking facility. Farmers might want to build snowmobile trails through their fields in the wintertime. It costs a little bit of money to do that and advertise what you have.

A farm family that grows apples might want to add value to their product and bake apple pies, and they might need some help in buying a large enough oven to do that and to get started in a small business venture.

The list goes on and on. But family farmers all over this country, who desperately want to stay on the land, increasingly are trying to take advantage of the tourism that comes into their region.

Family farmers all across America desperately need the kind of funding that this agri-tourism initiative would provide. The agri-tourism initiative can mean the difference between another family farm going out of business or finding a way to thrive.

To put it simply, agri-tourism funding is about saving family farms.

Without this kind of funding America will lose its family farms, agriculture will cease to be competitive and consumers will pay the price of shortsighted government policies.

Mr. Chairman, family farmers deserve the support of this Congress. I urge my colleagues to stand up for America's family farmers and support this amendment.

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

The amendment was agreed to.

The Acting CHAIRMAN. The Clerk will read.

The Clerk read as follows:

RURAL DEVELOPMENT SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for carrying out the administration and implementation of programs in the Rural Development mission area, including activities with institutions concerning the development and operation of agricultural cooperatives; and for cooperative agreements; $182,860,000: *Provided*, That notwithstanding any other provision of law, funds appropriated under this section may be used for advertising and promotional activities that support the Rural Development mission area: *Provided further*, That not more than $10,000 may be expended to provide modest nonmonetary awards to non-USDA employees: *Provided further*, That any balances available from prior years for the Rural Utilities Service, Rural Housing Service, and the Rural Business-Cooperative Service salaries and expenses accounts shall be transferred to and merged with this appropriation.

RURAL HOUSING SERVICE

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by title V- of the Housing Act of 1949, to be available from funds in the rural housing insurance fund, as follows: $4,801,736,000 for loans to section 502 borrowers, as determined by the Secretary, of which $1,237,498,000 shall be for direct loans, and of which $3,564,238,000 shall be for unsubsidized guaranteed loans; $36,382,000 for section 504 housing repair loans; $100,000,000 for section 515 rental housing; $100,000,000 for section 538 guaranteed multi-family housing loans; $5,045,000 for section 524 site loans; $11,482,000 for credit sales of acquired property, of which up to $1,482,000 may be for multi-family credit sales; and $4,980,000 for section 523 self-help housing land development loans.

For the cost of direct and guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, as follows: section 502 loans, $131,893,000, of which $124,121,000 shall be for direct loans, and of which $7,772,000, to remain available until expended, shall be for unsubsidized guaranteed loans; section 504 housing repair loans, $10,751,000; repair, rehabilitation, and new construction of section 515 rental housing, $45,670,000; section 538 multi-family housing guaranteed loans, $7,740,000; credit sales of acquired property, $720,000; and section 523 self-help housing land development loans, $123,000: *Provided*, That of the total amount appropriated in this paragraph, $1,500,000 shall be available through June 30, 2007, for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones: *Provided further*, That any obligated balances for a demonstration program for the preservation and revitalization of the section 515 multi-family rental housing properties as authorized in Public Law 109–97 shall be transferred to and merged with the ''Rural Housing Service, Multifamily Housing Revitalization Program Account''.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $430,080,000, which shall be transferred to and merged with the appropriation for ''Rural Development, Salaries and Expenses''.

RENTAL ASSISTANCE PROGRAM

For rental assistance agreements entered into or renewed pursuant to the authority under section 521(a)(2) or agreements entered into in lieu of debt forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Housing Act of 1949, $335,400,000, to remain available through September 30, 2008; and, in addition, such sums as may be necessary, as authorized by section 521(c) of the Act, to liquidate debt incurred prior to fiscal year 1992 to carry out the rental assistance program under section 521(a)(2) of the Act: *Provided*, That of this amount, up to $5,900,000 shall be available for debt forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Act, and not to exceed $50,000 per project for advances to nonprofit organizations or public agencies to cover direct costs (other than purchase price) incurred in purchasing projects pursuant to section 502(c)(5)(C) of the Act: *Provided further*, That agreements entered into or renewed during the current fiscal year shall be funded for a one-year period: *Provided further*, That any unexpended balances remaining at the end of such one-year agreements may be transferred and used for the purposes of any debt reduction; maintenance, repair, or rehabilitation of any existing projects; preservation; and rental assistance activities authorized under title V of the Act: *Provided further*, That rental assistance that is recovered from projects that are subject to prepayment shall be deobligated and reallocated for vouchers and debt forgiveness or payments consistent with the requirements of this Act for purposes authorized under section 542 and section 502(c)(5)(D) of the Housing Act of 1949, as amended: *Provided further*, That up to $4,190,000 may be used for the purpose of reimbursing funds used for rental assistance agreements entered into or renewed pursuant to the authority under section 521(a)(2) of the Act for emergency needs related to Hurricanes Katrina and Rita.

MULTIFAMILY HOUSING REVITALIZATION PROGRAM ACCOUNT

For the rural housing voucher program as authorized under section 542 of the Housing Act of 1949, (without regard to section 542(b)), for the cost to conduct a housing demonstration program to provide revolving loans for the preservation of low-income multi-family housing projects, and for additional costs to conduct a demonstration program for the preservation and revitalization of the section 515 multi-family rental housing properties, $28,000,000, to remain available until expended: *Provided*, That of the funds made available under this heading, $16,000,000 shall be available for rural housing vouchers to any low-income household (including those not receiving rental assistance) residing in a property financed with a section 515 loan which has been prepaid after September 30, 2005: *Provided further*, That the amount of such voucher shall be the difference between comparable market rent for the section 515 unit and the tenant paid rent for such unit: *Provided further*, That funds made available for such vouchers, shall be subject to the availability of annual appropriations: *Provided further*, That the Secretary shall, to the maximum extent practicable, administer such vouchers with current regulations and administrative guidance applicable to section 8 housing vouchers administered by the Secretary of the Department of Housing and Urban Development (including the ability to pay administrative costs related to delivery of the voucher funds): *Provided further*, That of the funds made available under this heading, $3,000,000 shall be available for loans to private nonprofit organizations, or such non-profit organizations' affiliate loan funds and State and local housing finance agencies, to carry out a housing demonstration program to provide revolving loans for the preservation of low-income multi-family housing projects: *Provided further*, That loans under such demonstration program shall have an interest rate of not more than 1 percent direct loan to the recipient: *Provided further*, That the Secretary may defer the interest and principal payment to the Rural Housing Service for up to 3 years and the term of such loans shall not exceed 30 years: *Provided further*,

That of the funds made available under this heading, $9,000,000 shall be available for a demonstration program for the preservation and revitalization of the section 515 multi-family rental housing properties to restructure existing section 515 loans, as the Secretary deems appropriate, expressly for the purposes of ensuring the project has sufficient resources to preserve the project for the purpose of providing safe and affordable housing for low-income residents including reducing or eliminating interest; deferring loan payments, subordinating, reducing or reamortizing loan debt; and other financial assistance including advances and incentives required by the Secretary: *Provide further*, That if Congess enacts legislation to permanently authorize a section 515 multi-family rental housing loan restructuring program similar to the demonstration program described herein, the Secretary may use funds made available for the demonstration program under this heading to carry out such legislation with the prior approval of the Committees on Appropriations of both Houses of Congress.

In addition, for administrative expenses necessary to carry out the direct loan program, $990,000, which shall be transferred to and merged with the appropriation for ''Rural Development, Salaries and Expenses'', which shall be made available for the Secretary to contract with third parties to acquire the necessary automation and technical services needed to restructure section 515 mortgages.

MUTUAL AND SELF-HELP HOUSING GRANTS

For grants and contracts pursuant to section 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C. 1490c), $37,620,000, to remain available until expended: *Provided*, That of the total amount appropriated, $1,000,000 shall be available through June 30, 2007, for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

RURAL HOUSING ASSISTANCE GRANTS

For grants and contracts for very low-income housing repair, supervisory and technical assistance, compensation for construction defects, and rural housing preservation made by the Rural Housing Service, as authorized by 42 U.S.C. 1474, 1479(c), 1490e, and 1490m, $40,590,000, to remain available until expended: *Provided*, That of the total amount appropriated, $1,188,000 shall be available through June 30, 2007, for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones*: Provided further*, That any balances to carry out a housing demonstration program to provide revolving loans for the preservation of low-income multi-family housing projects as authorized in Public Law 108–447 and Public Law 109–97 shall be transferred to and merged with ''Rural Housing Service, Multifamily Housing Revitalization Program Account''.

FARM LABOR PROGRAM ACCOUNT

For the cost of direct loans, grants, and contracts, as authorized by 42 U.S.C. 1484 and 1486, $47,525,000, to remain available until expended, for direct farm labor housing loans and domestic farm labor housing grants and contracts.

RURAL BUSINESS—COOPERATIVE SERVICE

RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the principal amount of direct loans, as authorized by the Rural Development Loan Fund (42 U.S.C. 9812(a)), $33,925,000.

For the cost of direct loans, $14,951,000, as authorized by the Rural Development Loan Fund (42 U.S.C. 9812(a)), of which $1,724,000 shall be available through June 30, 2007, for Federally Recognized Native American Tribes and of which $3,449,000 shall be available through June 30, 2007, for Mississippi Delta Region counties (as determined in accordance with Public Law 100–460): *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That of the total amount appropriated, $880,000 shall be available through June 30, 2007, for the cost of direct loans for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

In addition, for administrative expenses to carry out the direct loan programs, $4,780,000 shall be transferred to and merged with the appropriation for ''Rural Development, Salaries and Expenses''.

RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM ACCOUNT

(INCLUDING RESCISSION OF FUNDS)

For the principal amount of direct loans, as authorized under section 313 of the Rural Electrification Act, for the purpose of promoting rural economic development and job creation projects, $34,652,000.

For the cost of direct loans, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, $7,568,000, to remain available until expended.

Of the funds derived from interest on the cushion of credit payments, as authorized by section 313 of the Rural Electrification Act of 1936, $78,514,000 shall not be obligated and $78,514,000 are rescinded.

RURAL COOPERATIVE DEVELOPMENT GRANTS

For rural cooperative development grants authorized under section 310B(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932), $9,913,000, of which $500,000 shall be for a cooperative research agreement with a qualified academic institution to conduct research on the national economic impact of all types of cooperatives; and of which $3,000,000 shall be for cooperative agreements for the appropriate technology transfer for rural areas program: *Provided*, That not to exceed $1,485,000 shall be for cooperatives or associations of cooperatives whose primary focus is to provide assistance to small, minority producers and whose governing board and/or membership is comprised of at least 75 percent minority.

RURAL EMPOWERMENT ZONES AND ENTERPRISE COMMUNITIES GRANTS

For grants in connection with second and third rounds of empowerment zones and enterprise communities, $11,088,000, to remain available until expended, for designated rural empowerment zones and rural enterprise communities, as authorized by the Taxpayer Relief Act of 1997 and the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105–277): *Provided*, That of the funds appropriated, $1,000,000 shall be made available to third round empowerment zones, as authorized by the Community Renewal Tax Relief Act (Public Law 106–554).

RENEWABLE ENERGY PROGRAM

For the cost of a program of direct loans, loan guarantees, and grants, under the same terms and conditions as authorized by section 9006 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8106), $20,000,000 for direct and guaranteed renewable energy loans and grants: *Provided*, That the cost of direct loans and loan guarantees, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.

RURAL UTILITIES SERVICE

RURAL ELECTRIFICATION AND TELECOMMUNICATIONS LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

Insured loans pursuant to the authority of section 305 of the Rural Electrification Act of 1936 (7 U.S.C. 935) shall be made as follows: 5 percent rural electrification loans, $99,018,000; municipal rate rural electric loans, $99,000,000; loans made pursuant to section 306 of that Act, rural electric loans, $3,000,000,000; Treasury rate direct electric loans, $990,000,000; guaranteed underwriting loans pursuant to section 313A, $500,000,000; 5 percent rural telecommunications loans, $143,513,000; cost of money rural telecommunications loans, $246,666,000; and for loans made pursuant to section 306 of that Act, rural telecommunications loans, $299,000,000.

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, including the cost of modifying loans, of direct and guaranteed loans authorized by sections 305 and 306 of the Rural Electrification Act of 1936 (7 U.S.C. 935 and 936), as follows: cost of rural electric loans, $3,614,000, and the cost of telecommunications loans, $605,000: *Provided*, That notwithstanding section 305(d)(2) of the Rural Electrification Act of 1936, borrower interest rates may exceed 7 percent per year.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $39,101,000 which shall be transferred to and merged with the appropriation for ''Rural Development, Salaries and Expenses''.

DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND PROGRAM

For the principal amount of broadband telecommunication loans, $503,535,000.

For grants for telemedicine and distance learning services in rural areas, as authorized by 7 U.S.C. 950aaa et seq., $24,750,000, to remain available until expended.

For the cost of broadband loans, as authorized by 7 U.S.C. 901 et seq., $10,826,000, to remain available until September 30, 2008: *Provided*, That the interest rate for such loans shall be the cost of borrowing to the Department of the Treasury for obligations of comparable maturity: *Provided further*, That the cost of direct loans shall be as defined in section 502 of the Congressional Budget Act of 1974.

In addition, $8,910,000, to remain available until expended, for a grant program to finance broadband transmission in rural areas eligible for Distance Learning and Telemedicine Program benefits authorized by 7 U.S.C. 950aaa.

TITLE IV

DOMESTIC FOOD PROGRAMS

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

For necessary salaries and expenses of the Office of the Under Secretary for Food, Nutrition and Consumer Services to administer the laws enacted by the Congress for the Food and Nutrition Service, $652,000.

FOOD AND NUTRITION SERVICE

CHILD NUTRITION PROGRAMS

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the National School Lunch Act (42 U.S.C. 1751 et seq.), except section 21, and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), except sections 17 and 21; $13,345,487,000, to remain available through September 30, 2008, of which $7,610,897,000 is hereby appropriated and $5,734,590,000 shall be derived by transfer from funds available under section 32 of the

Act of August 24, 1935 (7 U.S.C. 612c): *Provided*, That up to $5,335,000 shall be available for independent verification of school food service claims.

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

For necessary expenses to carry out the special supplemental nutrition program as authorized by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), $5,244,000,000, to remain available through September 30, 2008, of which such sums as are necessary to restore the contingency reserve to $125,000,000 shall be placed in reserve, to remain available until expended, to be allocated as the Secretary deems necessary, notwithstanding section 17(i) of such Act, to support participation should cost or participation exceed budget estimates: *Provided*, That amounts over $125,000,000 in the contingency reserve shall be treated as general WIC appropriated funds rather than contingency reserve funds: *Provided further*, That of the total amount available, the Secretary shall obligate not less than $15,000,000 for a breastfeeding support initiative in addition to the activities specified in section 17(h)(3)(A): *Provided further*, That notwithstanding section 17(h)(10)(A) of such Act, only the provisions of section 17(h)(10)(B)(i) and section 17(h)(10)(B)(ii) shall be effective in 2007; including $14,000,000 for the purposes specified in section 17(h)(10)(B)(i) and $20,000,000 for the purposes specified in section 17(h)(10)(B)(ii): *Provided further*, That funds made available for the purposes specified in section 17(h)(10)(B)(ii) shall only be made available upon a determination by the Secretary that funds are available to meet caseload requirements without the use of the contingency reserve funds: *Provided further*, That none of the funds made available under this heading shall be used for studies and evaluations: *Provided further*, That none of the funds in this Act shall be available to pay administrative expenses of WIC clinics except those that have an announced policy of prohibiting smoking within the space used to carry out the program: *Provided further*, That none of the funds provided in this account shall be available for the purchase of infant formula except in accordance with the cost containment and competitive bidding requirements specified in section 17 of such Act: *Provided further*, That none of the funds provided shall be available for activities that are not fully reimbursed by other Federal Government departments or agencies unless authorized by section 17 of such Act.

FOOD STAMP PROGRAM

For necessary expenses to carry out the Food Stamp Act (7 U.S.C. 2011 et seq.), $37,865,231,000, of which $3,000,000,000 to remain available through September 30, 2008, shall be placed in reserve for use only in such amounts and at such times as may become necessary to carry out program operations: *Provided*, That funds provided herein shall be expended in accordance with section 16 of the Food Stamp Act: *Provided further*, That this appropriation shall be subject to any work registration or workfare requirements as may be required by law: *Provided further*, That funds made available for Employment and Training under this heading shall remain available until expended, as authorized by section 16(h)(1) of the Food Stamp Act: *Provided further*, That notwithstanding section 5(d) of the Food Stamp Act of 1977, any additional payment received under chapter 5 of title 37, United States Code, by a member of the United States Armed Forces deployed to a designated combat zone shall be excluded from household income for the duration of the member's deployment if the additional pay is the result of deployment to or while serving in a combat zone, and it was not received immediately prior to serving in the combat zone.

COMMODITY ASSISTANCE PROGRAM

For necessary expenses to carry out disaster assistance and the commodity supplemental food program, as authorized by section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note); the Emergency Food Assistance Act of 1983; special assistance for the nuclear affected islands, as authorized by section 103(f)(2) of the Compact of Free Association Amendments Act of 2003 (Public Law 108–188); and the Farmers' Market Nutrition Program, as authorized by section 17(m) of the Child Nutrition Act of 1966, $189,370,000, to remain available through September 30, 2008: *Provided*, That none of these funds shall be available to reimburse the Commodity Credit Corporation for commodities donated to the program: *Provided further*, That notwithstanding any other provision of law, effective with funds made available in fiscal year 2007 to support the Seniors Farmers' Market Nutrition Program (SFMNP), as authorized by section 4402 of Public Law 107–171, such funds shall remain available through September 30, 2008: *Provided further*, That no funds available for SFMNP in fiscal year 2007 shall be used to pay State or local sales taxes on food purchased with SFMNP coupons or checks: *Provided further*, That the value of assistance provided by the SFMNP shall not be considered income or resources for any purposes under any Federal, State or local laws related to taxation, welfare and public assistance programs: *Provided further*, That of the funds made available under section 27(a) of the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.), the Secretary may use up to $10,000,000 for costs associated with the distribution of commodities.

NUTRITION PROGRAMS ADMINISTRATION

For necessary administrative expenses of the domestic nutrition assistance programs funded under this Act, $142,314,000.

TITLE V

FOREIGN ASSISTANCE AND RELATED PROGRAMS

FOREIGN AGRICULTURAL SERVICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Foreign Agricultural Service, including carrying out title VI of the Agricultural Act of 1954 (7 U.S.C. 1761–1768), market development activities abroad, and for enabling the Secretary to coordinate and integrate activities of the Department in connection with foreign agricultural work, including not to exceed $158,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), $156,486,000: *Provided*, That the Service may utilize advances of funds, or reimburse this appropriation for expenditures made on behalf of Federal agencies, public and private organizations and institutions under agreements executed pursuant to the agricultural food production assistance programs (7 U.S.C. 1737) and the foreign assistance programs of the United States Agency for International Development.

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

(INCLUDING TRANSFER OF FUNDS)

For administrative expenses to carry out the credit program of title I, Public Law 83–480, $2,651,000, to be transferred to and merged with the appropriation for ''Farm Service Agency, Salaries and Expenses''.

PUBLIC LAW 480 TITLE II GRANTS

For expenses during the current fiscal year, not otherwise recoverable, and unrecovered prior years' costs, including interest thereon, under the Agricultural Trade Development and Assistance Act of 1954, for commodities supplied in connection with dispositions abroad under title II of said Act, $1,223,100,000, to remain available until expended.

COMMODITY CREDIT CORPORATION EXPORT LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For administrative expenses to carry out the Commodity Credit Corporation's export guarantee program, GSM 102 and GSM 103, $5,331,000; to cover common overhead expenses as permitted by section 11 of the Commodity Credit Corporation Charter Act and in conformity with the Federal Credit Reform Act of 1990, of which $4,985,000 may be transferred to and merged with the appropriation for ''Foreign Agricultural Service, Salaries and Expenses'', including $775,000 to be made available for debt recovery, and of which $346,000 may be transferred to and merged with the appropriation for ''Farm Service Agency, Salaries and Expenses''.

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

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

TITLE VI

RELATED AGENCIES AND FOOD AND DRUG ADMINISTRATION

DEPARTMENT OF HEALTH AND HUMAN SERVICES

FOOD AND DRUG ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Food and Drug Administration, including hire and purchase of passenger motor vehicles; for payment of space rental and related costs pursuant to Public Law 92–313 for programs and activities of the Food and Drug Administration which are included in this Act; for rental of special purpose space in the District of Columbia or elsewhere; for miscellaneous and emergency expenses of enforcement activities, authorized and approved by the Secretary and to be accounted for solely on the Secretary's certificate, not to exceed $25,000; and notwithstanding section 521 of Public Law 107–188; $1,914,382,000: *Provided*, That of the amount provided under this heading, $320,600,000 shall be derived from prescription drug user fees authorized by 21 U.S.C. 379h, shall be credited to this account and remain available until expended, and shall not include any fees pursuant to 21 U.S.C. 379h(a)(2) and (a)(3) assessed for fiscal year 2008 but collected in fiscal year 2007; $43,726,000 shall be derived from medical device user fees authorized by 21 U.S.C. 379j, and shall be credited to this account and remain available until expended; and $11,604,000 shall be derived from animal drug user fees authorized by 21 U.S.C. 379j, and shall be credited to this account and remain available until expended: *Provided further*, That fees derived from prescription drug, medical device, and animal drug assessments received during fiscal year 2007, including any such fees assessed prior to the current fiscal year but credited during the current year, shall be subject to the fiscal year 2007 limitation: *Provided further*, That none of these funds shall be used to develop, establish, or operate any program of user fees authorized

by 31 U.S.C. 9701: *Provided further*, That of the total amount appropriated: (1) $454,006,000 shall be for the Center for Food Safety and Applied Nutrition and related field activities in the Office of Regulatory Affairs; (2) $545,938,000 shall be for the Center for Drug Evaluation and Research and related field activities in the Office of Regulatory Affairs; (3) $194,637,000 shall be for the Center for Biologics Evaluation and Research and for related field activities in the Office of Regulatory Affairs; (4) $105,595,000 shall be for the Center for Veterinary Medicine and for related field activities in the Office of Regulatory Affairs; (5) $253,789,000 shall be for the Center for Devices and Radiological Health and for related field activities in the Office of Regulatory Affairs; (6) $34,118,000 shall be for the National Center for Toxicological Research; (7) $62,007,000 shall be for Rent and Related activities, of which $25,552,000 is for White Oak Consolidation, other than the amounts paid to the General Services Administration for rent; (8) $146,013,000 shall be for payments to the General Services Administration for rent; and (9) $118,279,000 shall be for other activities, including the Office of the Commissioner; the Office of Management; the Office of External Relations; the Office of Policy and Planning; and central services for these offices: *Provided further*, That funds may be transferred from one specified activity to another with the prior approval of the Committees on Appropriations of both Houses of Congress.

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

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

BUILDINGS AND FACILITIES

For plans, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of or used by the Food and Drug Administration, where not otherwise provided, $4,950,000, to remain available until expended.

INDEPENDENT AGENCIES

COMMODITY FUTURES TRADING COMMISSION

For necessary expenses to carry out the provisions of the Commodity Exchange Act (7 U.S.C. 1 et seq.), including the purchase and hire of passenger motor vehicles, and the rental of space (to include multiple year leases) in the District of Columbia and elsewhere, $109,402,000, including not to exceed $3,000 for official reception and representation expenses.

FARM CREDIT ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

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

TITLE VII

GENERAL PROVISIONS

(INCLUDING RESCISSIONS AND TRANSFERS OF FUNDS)

SEC. 701. Within the unit limit of cost fixed by law, appropriations and authorizations made for the Department of Agriculture for the current fiscal year under this Act shall be available for the purchase, in addition to those specifically provided for, of not to exceed 292 passenger motor vehicles, of which 290 shall be for replacement only, and for the hire of such vehicles.

SEC. 702. New obligational authority provided for the following appropriation items in this Act shall remain available until expended: Animal and Plant Health Inspection Service, the contingency fund to meet emergency conditions, information technology infrastructure, fruit fly program, emerging plant pests, cotton pests program, low pathogen avian influenza program, high pathogen avian influenza program, up to $33,107,000 in animal health monitoring and surveillance for the animal identification system, up to $682,000 in the brucellosis program for indemnities, up to $2,888,000 in the chronic wasting disease program for indemnities, up to $3,934,000 in the scrapie program for indemnities, up to $2,387,000 in the tuberculosis program for indemnities, up to $4,900,000 in the emergency management systems program for the vaccine bank, up to $1,000,000 for wildlife services methods development, up to $1,000,000 of the wildlife services operations program for aviation safety, and up to 25 percent of the screwworm program; Food Safety and Inspection Service, field automation and information management project; Cooperative State Research, Education, and Extension Service, funds for competitive research grants (7 U.S.C. 450i(b)), funds for the Research, Education, and Economics Information System, and funds for the Native American Institutions Endowment Fund; Farm Service Agency, salaries and expenses funds made available to county committees; Foreign Agricultural Service, middle-income country training program, and up to $2,000,000 of the Foreign Agricultural Service appropriation solely for the purpose of offsetting fluctuations in international currency exchange rates, subject to documentation by the Foreign Agricultural Service.

SEC. 703. The Secretary of Agriculture may transfer unobligated balances of discretionary funds appropriated by this Act or other available unobligated discretionary balances of the Department of Agriculture to the Working Capital Fund for the acquisition of plant and capital equipment necessary for the delivery of financial, financial management modernization initiative, administrative, and information technology services of primary benefit to the agencies of the Department of Agriculture: *Provided*, That none of the funds made available by this Act or any other Act shall be transferred to the Working Capital Fund without the prior approval of the agency administrator: *Provided further*, That none of the funds transferred to the Working Capital Fund pursuant to this section shall be available for obligation without the prior approval of the Committees on Appropriations of both Houses of Congress.

SEC. 704. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 705. No funds appropriated by this Act may be used to pay negotiated indirect cost rates on cooperative agreements or similar arrangements between the United States Department of Agriculture and nonprofit institutions in excess of 10 percent of the total direct cost of the agreement when the purpose of such cooperative arrangements is to carry out programs of mutual interest between the two parties. This does not preclude appropriate payment of indirect costs on grants and contracts with such institutions when such indirect costs are computed on a similar basis for all agencies for which appropriations are provided in this Act.

SEC. 706. None of the funds in this Act shall be available to pay indirect costs charged against competitive agricultural research, education, or extension grant awards issued by the Cooperative State Research, Education, and Extension Service that exceed 22 percent of total Federal funds provided under each award: *Provided*, That notwithstanding section 1462 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3310), funds provided by this Act for grants awarded competitively by the Cooperative State Research, Education, and Extension Service shall be available to pay full allowable indirect costs for each grant awarded under section 9 of the Small Business Act (15 U.S.C. 638).

SEC. 707. Appropriations to the Department of Agriculture for the cost of direct and guaranteed loans made available in the current fiscal year shall remain available until expended to disburse obligations made in the current fiscal year for the following accounts: the Rural Development Loan Fund program account, the Rural Electrification and Telecommunication Loans program account, and the Rural Housing Insurance Fund program account.

SEC. 708. Of the funds made available by this Act, not more than $1,800,000 shall be used to cover necessary expenses of activities related to all advisory committees, panels, commissions, and task forces of the Department of Agriculture, except for panels used to comply with negotiated rule makings and panels used to evaluate competitively awarded grants.

SEC. 709. None of the funds appropriated by this Act may be used to carry out section 410 of the Federal Meat Inspection Act (21 U.S.C. 679a) or section 30 of the Poultry Products Inspection Act (21 U.S.C. 471).

SEC. 710. No employee of the Department of Agriculture may be detailed or assigned from an agency or office funded by this Act to any other agency or office of the Department for more than 30 days unless the individual's employing agency or office is fully reimbursed by the receiving agency or office for the salary and expenses of the employee for the period of assignment.

SEC. 711. None of the funds appropriated or otherwise made available to the Department of Agriculture or the Food and Drug Administration shall be used to transmit or otherwise make available to any non-Department of Agriculture or non-Department of Health and Human Services employee questions or responses to questions that are a result of information requested for the appropriations hearing process.

SEC. 712. None of the funds made available to the Department of Agriculture by this Act may be used to acquire new information technology systems or significant upgrades, as determined by the Office of the Chief Information Officer, without the approval of the Chief Information Officer and the concurrence of the Executive Information Technology Investment Review Board: *Provided*, That notwithstanding any other provision of law, none of the funds appropriated or otherwise made available by this Act may be transferred to the Office of the Chief Information Officer without the prior approval of the Committees on Appropriations of both Houses of Congress: *Provided further*, That none of the funds available to the Department of Agriculture for information technology shall be obligated for projects over $25,000 prior to receipt of written approval by the Chief Information Officer.

SEC. 713. (a) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in the current fiscal year, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds which—

(1) creates new programs;

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

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

(4) relocates an office or employees;

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

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

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

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

SEC. 714. None of the funds appropriated by this or any other Act shall be used to pay the salaries and expenses of personnel who prepare or submit appropriations language as part of the President's Budget submission to the Congress of the United States for programs under the jurisdiction of the Appropriations Subcommittees on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies that assumes revenues or reflects a reduction from the previous year due to user fees proposals that have not been enacted into law prior to the submission of the Budget unless such Budget submission identifies which additional spending reductions should occur in the event the user fees proposals are not enacted prior to the date of the convening of a committee of conference for the fiscal year 2008 Appropriations Act.

SEC. 715. None of the funds made available by this or any other Act may be used to close or relocate a State Rural Development office unless or until cost effectiveness and enhancement of program delivery have been determined.

SEC. 716. In addition to amounts otherwise appropriated or made available by this Act, $2,500,000 is appropriated for the purpose of providing Bill Emerson and Mickey Leland Hunger Fellowships, through the Congressional Hunger Center.

SEC. 717. There is hereby appropriated $250,000 for a grant to the National Sheep Industry Improvement Center, to remain available until expended.

SEC. 718. Notwithstanding any other provision of law, of the funds made available in this Act for competitive research grants (7 U.S.C. 450i(b)), the Secretary may use up to 30 percent of the amount provided to carry out a competitive grants program under the same terms and conditions as those provided in section 401 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7621).

SEC. 719. No funds shall be used to pay salaries and expenses of the Department of Agriculture to carry out or administer the program authorized by section 14(h)(1) of the Watershed Protection and Flood Prevention Act (16 U.S.C. 1012(h)(1)).

SEC. 720. No funds shall be used to pay salaries and expenses of the Department of Agriculture to carry out or administer the calendar year 2007 wetlands reserve program as authorized by 16 U.S.C. 3837 in excess of 144,776 acres.

SEC. 721. No funds shall be used to pay salaries and expenses of the Department of Agriculture to carry out or administer an environmental quality incentives program authorized by chapter 4 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3839aa et seq.) in excess of $1,087,000,000.

SEC. 722. No funds shall be used to pay salaries and expenses of the Department of Agriculture to carry out or administer a program authorized by section 601(j)(1) of the Rural Electrification Act of 1936 (7 U.S.C. 950bb(j)(1)).

SEC. 723. None of the funds made available in fiscal year 2006 or preceding fiscal years for programs authorized under the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1691 et seq.) in excess of $20,000,000 shall be used to reimburse the Commodity Credit Corporation for the release of eligible commodities under section 302(f)(2)(A) of the Bill Emerson Humanitarian Trust Act (7 U.S.C. 1736f–1): *Provided,* That any such funds made available to reimburse the Commodity Credit Corporation shall only be used pursuant to section 302(b)(2)(B)(i) of the Bill Emerson Humanitarian Trust Act.

SEC. 724. No funds shall be used to pay salaries and expenses of the Department of Agriculture to carry out or administer a program authorized by section 6401 of Public Law 107–171, in excess of $28,000,000.

SEC. 725. Notwithstanding subsections (c) and (e)(2) of section 313A of the Rural Electrification Act (7 U.S.C. 940c(c) and (e)(2)) in implementing section 313A of that Act, the Secretary shall, with the consent of the lender, structure the schedule for payment of the annual fee, not to exceed an average of 30 basis points per year for the term of the loan, to ensure that sufficient funds are available to pay the subsidy costs for note guarantees under that section.

SEC. 726. No funds shall be used to pay salaries and expenses of the Department of Agriculture to carry out or administer a conservation security program authorized by 16 U.S.C. 3838 et seq., in excess of $280,173,000.

SEC. 727. No funds shall be used to pay salaries and expenses of the Department of Agriculture to carry out or administer a program authorized by section 2502 of Public Law 107–171, in excess of $55,000,000.

SEC. 728. No funds shall be used to pay salaries and expenses of the Department of Agriculture to carry out or administer a program authorized by section 2503 of Public Law 107–171, in excess of $50,000,000.

SEC. 729. No funds shall be used to pay salaries and expenses of the Department of Agriculture to carry out or administer a ground and surface water conservation program authorized by section 2301 of Public Law 107–171, in excess of $51,000,000.

SEC. 730. None of the funds made available by this Act may be used to issue a final rule in furtherance of, or otherwise implement, the proposed rule on cost-sharing for animal and plant health emergency programs of the Animal and Plant Health Inspection Service published on July 8, 2003 (Docket No. 02–062–1; 68 Fed. Reg. 40541).

SEC. 731. Funds made available under section 1240I and section 1241(a) of the Food Security Act of 1985 in the current fiscal year shall remain available until expended to disburse obligations made in the current fiscal year, and are not available for new obligations. Funds made available under section 524(b) of the Federal Crop Insurance Act, 7 U.S.C. 1524(b), in fiscal years 2004, 2005, and 2006 shall remain available until expended to disburse obligations made in fiscal years 2004, 2005, and 2006, respectively, and are not available for new obligations.

SEC. 732. Notwithstanding any other provision of law, Rural Development shall provide grants from funds available for the Rural Community Advancement Program for the Ohio Livestock Expo Center in Springfield, Ohio, in an amount not to exceed $1,000,000.

SEC. 733. No funds shall be used to pay salaries and expenses of the Department of Agriculture to carry out or administer an agricultural management assistance program authorized by section 524 of the Federal Crop Insurance Act, in excess of $6,000,000 (7 U.S.C. 1524).

SEC. 734. None of the funds provided in this Act may be used for salaries and expenses to draft or implement any regulation or rule insofar as it would require recertification of rural status for each electric and telecommunications borrower for the Rural Electrification and Telecommunication Loans program.

SEC. 735. Unless otherwise authorized by existing law, none of the funds provided in this Act, may be used by an executive branch agency to produce any prepackaged news story intended for broadcast or distribution in the United States unless the story includes a clear notification within the text or audio of the prepackaged news story that the prepackaged news story was prepared or funded by that executive branch agency.

SEC. 736. In addition to other amounts appropriated or otherwise made available by this Act, there is hereby appropriated to the Secretary of Agriculture $15,600,000, of which not to exceed 5 percent may be available for administrative expenses, to remain available until expended, to make specialty crop block grants under section 101 of the Specialty Crops Competitiveness Act of 2004 (Public Law 108–465; 7 U.S.C. 1621 note).

SEC. 737. No funds shall be used to pay salaries and expenses of the Department of Agriculture to carry out or administer a program authorized by section 18(g)(6)(B)(i) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769(g)(6)(B)(i)).

SEC. 738. Notwithstanding any other provision of law, there is hereby appropriated $25,000,000, of which not to exceed 5 percent may be available for administrative expenses, to carry out section 18(g) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769(g) in each State and on Indian reservations.

SEC. 739. None of the funds made available in this Act may be used to study, complete a study of, or enter into a contract with a private party to carry out, without specific authorization in a subsequent Act of Congress, a competitive sourcing activity of the Secretary of Agriculture, including support personnel of the Department of Agriculture, relating to rural development or farm loan programs.

SEC. 740. Of the unobligated balances under section 32 of the Act of August 24, 1935, $9,900,000 are hereby rescinded.

SEC. 741. None of the funds appropriated or otherwise made available by this Act shall be used to pay salaries and expenses of personnel who implement or administer section 508(e)(3) of the Federal Crop Insurance Act (7

U.S.C. 1508(e)(3)) or any regulation, bulletin, policy or agency guidance issued pursuant to section 508(e)(3) of such Act for the 2007 and the 2008 reinsurance years, except that funds are available to administer section 508(e)(3) of the Federal Crop Insurance Act for policies in effect as of the date of enactment of this Act.

SEC. 742. None of the funds made available in this Act may be used—

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

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

SEC. 743. Section 739 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriation Act, 2001 (H.R. 5426 as enacted by Public Law 106–387, 115 Stat. 1549A–34) is amended by striking ''2 percent'' and inserting ''3 percent''.

SEC. 744. Of the unobligated balances available in the High Energy Cost Grants account, $25,265,000 is hereby rescinded.

SEC. 745. Notwithstanding any other provision of law, for the purposes of title V of the Housing Act of 1949 (42 U.S.C. 1471 et seq.), the Secretary of Agriculture shall consider the City of Atascadero, California, the City of Paso Robles, California, the City of Freeport, Illinois, and Kitsap County (except the City of Bremerton), Washington, as meeting the requirements of a rural area contained in section 520 of such Act (42 U.S.C. 1490) until the receipt of the decennial Census in the year 2010.

SEC. 746. Of the appropriations available for payments for the nutrition and family education program for low-income areas under section 3(d) of the Smith-Lever Act (7 U.S.C. 343(d)), if the payment allocation pursuant to section 1425(c) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3175(c)) would be less than $100,000 for any institution eligible under section 3(d)(2) of the Smith-Lever Act, the Secretary shall adjust payment allocations under section 1425(c) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 to ensure that each institution receives a payment of not less than $100,000.

SEC. 747. None of the funds made available in this Act may be used to implement the final rule published by the Secretary of Agriculture on April 24, 2006, amending part 381 of title 9 of the Code of Federal Regulations to add the People's Republic of China to the list of countries eligible to export poultry products to the United States.

SEC. 748. None of the funds made available in this Act may be used to prohibit the use of non-government electronic certification forms that verify properly certified results of equine infectious anemia testing for the purpose of interstate or international shipment of tested animals.

□ 1430

POINT OF ORDER

Mr. GOODLATTE. Mr. Chairman, I rise to make a point of order.

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

Mr. GOODLATTE. I rise to make a point of order against section 749, which begins on page 80, line 19, and ends on page 81, line 7, because it violates rule XXI, clause 2, which prohibits legislative language in a general appropriations bill.

The CHAIRMAN. The Chair finds that this section directly amends existing law. This section, therefore, constitutes legislation in violation of clause 2, 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. 750. None of the funds appropriated or otherwise made available by this Act for the Food and Drug Administration may be used under section 801 of the Federal Food, Drug, and Cosmetic Act to prevent an individual not in the business of importing a prescription drug within the meaning of section 801(g) of such Act, wholesalers, or pharmacists from importing a prescription drug which complies with sections 501, 502, and 505.

POINT OF ORDER

Mr. DEAL of Georgia. Mr. Chairman, I rise to make a point of order.

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

Mr. DEAL of Georgia. Mr. Chairman, I make a point of order that the language beginning with, ''The Secretary of Health and Human Services,'' on page 81, line 16, through, ''Food, Drug and Cosmetic Act,'' on page 82, line 5, violates clause 2 of rule XXI of the rules of the House which prohibits legislation on appropriations bills.

The language that I have cited permits the Secretary of HHS to require the holder of an approved application for a drug to conduct studies to refute proposed theories. This language clearly constitutes legislating on an appropriations bill and, as such, violates clause 2 of rule XXI.

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

Ms. DELAURO. Mr. Chairman, I regret that my friend has moved to strike this language, particularly given the GAO's recent findings.

The FDA needs the authority to mandate post-marketing drug studies when needed, and indeed, the General Accountability Office has issued a very harsh report of the post-market studies saying, and I quote, FDA lacks clear and effective processes for making decisions about and providing management oversight of post-market safety issues. They further say that, to improve the decision-making process for post-market drug safety, Congress should consider expanding FDA's authority to require drug sponsors to conduct post-market studies, such as clinical trials or observational studies, as needed, to collect additional data on drug safety issues.

The FDA is under increasing pressure to approve new drugs quickly. Some of us have been concerned by the implication of the approval process. Since 2000, ten drugs have been withdrawn for safety reasons by their manufacturers, all voluntarily. As far back as 1996, when the inspector general at HHS looked into the matter, it found that the FDA lacked an appropriate system for monitoring or tracking the status of the post-market——

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

Ms. DELAURO. Mr. Chairman, no one is accusing FDA of willful negligence. There can be innocent reasons why this study is not done, but the fact is the FDA needs to have authority in order to assure that we are not putting lives at risk with unsafe drugs that are not fully tested.

This language would ensure that they have the authority. Prescription drugs are the foundation of modern medical treatment. The public's interest is being preserved by having the FDA have this authority.

The CHAIRMAN. The Chair will remind the gentlewoman that her remarks must be confined to the substance of the point of order.

□ 1445

If no other Members wish to be heard on the point of order, the Chair is prepared to rule.

The Chair finds that this section confers authority on the Executive. 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. 752. Section 1502(c)(3) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7982(c)(3)) is amended—

(1) by inserting ''and'' at the end of subparagraph (A);

(2) in subparagraph (B), by striking ''August 31, 2007, 34 percent; and'' and inserting ''September 30, 2007, 34 percent.''; and

(3) by striking subparagraph (C).

POINT OF ORDER

Mr. GOODLATTE. Mr. Chairman, I raise a point of order against section 752.

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

Mr. GOODLATTE. I raise a point of order against page 82, line 6, ending on page 82, line 17, because it violates rule XXI, clause 2, which prohibits legislative language in a general appropriations bill.

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

The Chair finds that this section directly amends existing law. This section, therefore, constitutes legislate in violation of clause 2 of rule XXI.

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

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

Mr. Chairman, in less than 6 months, farmers will begin to plan for the next crop year. Without extending the storage and handling fee program for peanuts, all over the Southeast there will be problems in the ag world. As we know, when we did away with the peanut quota program, the farmers went from a support price of over $600 down to $355. Now, in exchange for such a reduction in the support price and elimination of the quota program, farmers

were also successful in negotiating a $50 per ton storage and handling fee.

The reason why this was important is because when peanuts are ready to harvest, the market might not be at the optimal selling price for the peanuts. Likewise, when the shellers and the folks in manufacturing and processing need peanuts, there might at times be an abundance and at other times there might be a deficit. So for everyone involved in the peanut food chain, having a good storage and handling program is important. You can't just put peanuts in any warehouse and keep them in fresh order. You have to have a specialized warehouse, and that is why this program is important.

This program is important not just to those in the peanut business directly, the farmer, the producer, the processor, the user, and the shelling facility; but it is also important for rural southeast America. The peanut program is bigger in poor counties across the southeastern States. You don't have a problem with the peanut program in Atlanta, Georgia, or in Birmingham, Alabama, or St. Simons Island, Georgia, or Savannah, Georgia. You have it in the small areas, like Cook County and Berien County and Candler County and Bulloch County, counties that do not have the growth in many cases of those in the urban areas.

This program has been successful from South Carolina to southern Mississippi to Alabama. Just one example: in Donalsonville, Georgia, the American Peanut Growers Group, a co-op comprised of 85 different peanut producers, invested in a shelling facility after the last farm bill and created 50 new full-time jobs and six new buying points throughout the region, a great success story.

In Tifton, Georgia, over $18 million has been invested in a new dome storage peanut shelling facility that employs 60 people. This is a product of 56 different peanut producers in making this shelling plant.

Examples of this are all over here. And I know the gentleman from Alabama is here and he has seen it from his own area, but even though the chairman of the Ag Committee has been a good supporter of farm programs and the peanut program, striking this language on a point of order actually hurts us at this time. Because as these peanut farmers are making growing decisions, we have just taken away one of the great economic tools they need to successfully decide if they are going to be planting peanuts or planting corn or planting soybeans or cotton.

What I would say to the members of the committee is as this bill moves through the process without this language in it, it is quite likely our friends in the other body will restore this language, and I am hoping that the Senators from Georgia are able to do that. The language was put in the bill by me, Mr. BISHOP, and Congressman BOYD, bipartisan support and southeastern agriculture support, and we are hoping to get it restored at some point along the line.

So I just wanted to come down here on the point of order to make sure folks know that even though this is going to be stricken today, we do feel like it does not kill this, but for the time being.

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

Mr. Chairman, I rise to commend Mr. KINGSTON for his work on this issue. This is an issue that we have worked very closely with the authorizers on to try to fix this program because it expired, as the gentleman said. Mr. KINGSTON has been a real leader, as has Senator CHAMBLISS on the other side of the Capitol, in trying to address this issue.

I am very grateful the gentleman came to the floor today to address the concerns, because they needed to be exposed rather than just rule on the technicality that was before us. The gentleman understood that the peanut issue was subject to a point of order and nonetheless fought the good fight to the very end.

So I would just like to commend the gentleman for his work in this area.

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

Mr. BONILLA. I would be happy to yield to my good friend from Alabama.

Mr. EVERETT. I thank the chairman, and Mr. KINGSTON has adequately explained the situation that we are in. This handling and storage fee is absolutely critical for the peanut farmers in these very small rural towns that we all represent.

One thing that might be noted is that in the last farm bill, which I had the privilege of being the subcommittee chairman that wrote this peanut title, this was put in there to help the farmers and the shellers transition into a more market-based program. The problem that we have gotten into is because I believe that the USDA has not followed the word and/or spirit of the peanut title, in that they have kept these peanuts, we have had about 2 or 3 years of great peanut crops, and they have kept these peanuts in loan. That has not created a market that we intended to create. They have not moved these peanuts out of loan, which we fully intended for them to do.

They have to understand if it is a budget thing, it is either pay now or pay later. But the longer they keep them in there, the less those peanuts are going to be worth and they will go out to people for almost nothing.

So I appreciate Mr. KINGSTON for putting this language in there, and I further appreciate the chairman. I understand my full committee chairman on the authorizing side is trying to protect the committee's privileges, and also my friend from Texas, Mr. BONILLA, I appreciate the words that he had concerning this issue and, hopefully, we can do something in conference about it.

Mr. BONILLA. Mr. Chairman, I appreciate the gentleman's remarks and, in closing, there are oftentimes issues like this that come before us that as appropriators you never know what is around the next corner with legislation that is being put in our lap that has a profound impact above and beyond dollar figures that we debate on every day in our committee.

So, again, I realize and all of us realize this is a very serious issue that needs to be addressed.

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

Mr. Chairman, I simply want to express my chagrin at the fact that the chairman of the authorizing committee has exercised a point of order against the provision in the appropriation bill, section 752, which would have corrected a gross shortcoming in the dairy program.

The fact is that with the language in the appropriation bill being stricken, we will now face the situation under which dairy will be at a distinct disadvantage when the farm bill is renewed in 2007 because the authorization committee arranged in previous legislation to see to it that the milk program expired one month before the end of the fiscal year. What that means is that evidently the Agriculture Committee majority desires to see the supplemental milk payment program die.

I hope that every small dairy farmer in America takes note of that fact. It is a pretty clear indication of whose side people are on. And I simply want to make the observation that this provision that required the milk program to expire 1 month early was not done for any policy reason. It was done as a gimmick to get around the budget act. And it is another illustration of the fact that when our principal goal is to find whatever parliamentary gimmicks we can find in order to fit programs into a defined box, then real people get hurt. The fact is that there will be many small dairy farmers who go out of business if they do not have the support that comes from that supplemental milk payment program.

So, Mr. Chairman, I regret very much the gentleman felt required to do that. I hope that dairy farmers will take note of the fact that the only possible dairy farmers who could benefit from this are the giant operators, the 1,000- and 2,000-cow herd operators, but the average dairy farmer in the United States is hurt by the action that was taken today, and I hope they take that into account when they go to the polls in November.

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

Mr. Chairman, I rise in strong opposition to the point of order that was offered by my good friend, the chairman of the Agriculture Committee, Mr. GOODLATTE, and in support of the peanut storage and handling language that was included in the 2007 agriculture appropriations bill.

As the Representative of the Second Congressional District of Georgia,

which I am proud to say is the largest peanut producing district in the Nation, I would like to lend my full support and endorsement of language that was included in the bill extending the peanut storage and handling program for an additional year.

During consideration of the 2002 farm bill, the peanut industry, including growers, manufacturers, and processors, asked that the House Agriculture Committee change the Nation's peanut program from a supply management structure to a more market-oriented program.

At the time, I had the pleasure of serving as a member of the Agriculture Committee. The House Ag Committee made these changes, working in cooperation with the peanut industry, and the transition to the new market-oriented program was a part of a very carefully crafted compromise that was developed and approved by the House Agriculture Committee.

□ 1500

The 2002 farm bill provided storage, handling fees and related costs for the peanut program through the 2006 crop year. Our concern centered on the fact that growers would have to absorb the storage costs associated with peanuts placed under loan.

The language included in the committee bill would simply continue the peanut storage and handling fees program through 2007, terminating at the beginning of fiscal year 2008. The language was reviewed by the CBO and will not have a 2007 cost, primarily because the payments will come after the 2007 harvest. There will be a cost of approximately $77 million in 2008. By all measures, the new peanut program is a true success story.

The storage and handling fees paid on peanuts by this loan program are very limited in scope. And more importantly, the storage and handling segment of the peanut program will actually expire at the end of this fiscal year.

As the chairman will recall, the original intent of this program was to provide an efficient and practical transition from the old supply-management structure to the new market-oriented approach. Without the bridge provided by this program, producers would not have participated in transitioning to the new program.

Every licensed warehouse operator has a structure for storage and handling fees. These fees will be passed on to the peanut producer if they are not paid by the Department of Agriculture. Much of the 2006 peanut crop has already been contracted, and the underlying business decisions associated with these transitions are in large part based on the program provisions that are in effect under current law.

Peanut producers entered this crop year and planned for this farm bill period based on the commitment that Congress made in the 2002 farm bill. Warehouse operators will not absorb these costs. It will be the producer who will pay if these fees are not paid as designed by the current bill.

Peanuts, unlike many other crops, can't practically be stored on the farm. Specialized handling and storage by knowledgeable warehouse operators is necessary to preserve the value of this semi-perishable commodity. So it is an expense that is absolutely necessary and one that the grower can't avoid by doing it himself.

Without this language, what is now a $355 per ton marketing loan program will effectively be reduced to a loan program that will not be profitable for the peanut producer.

Mr. Chairman, this language is crucial to the future of the peanut industry and continuation of the program into 2007. It could literally mean the difference between profitability and loss, between success and failure, between farmers surviving or forcing even more family farmers off the land. These farmers are real people, Mr. Chairman, real people whose lives will be profoundly changed if this point of order is upheld by the Chair.

I strongly oppose the point of order and ask the Chairman to retain the language in question which is vital to the American peanut farmer, particularly those in the State of Georgia.

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

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HEFLEY) having assumed the chair, Mr. RYAN of Wisconsin, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 5384) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2007, and for other purposes, had come to no resolution thereon.

LIMITING AMENDMENTS DURING FURTHER CONSIDERATION OF H.R. 5384, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2007

Mr. BONILLA. Mr. Speaker, I ask unanimous consent that during further consideration of H.R. 5384 in the Committee of the Whole pursuant to House Resolution 830, notwithstanding clause 11 of rule XVIII, no further amendment to the bill may be offered except:

Pro forma amendments offered at any point in the reading by the chairman or ranking minority member of the Committee on Appropriations or their designees for the purpose of debate;

An amendment by Mr. BLUMENAUER regarding funding limitations for sugar loan rates, which shall be debatable for 20 minutes;

An amendment by Ms. SLAUGHTER regarding funding for Center For Veterinary Medicine;

An amendment or amendments by Mr. BONILLA regarding funding levels;

An amendment by Mr. LATHAM regarding section 741 of the bill;

An amendment by Mr. HEFLEY regarding an across-the-board reduction;

An amendment by Mr. TIAHRT regarding funding limitation on competitiveness;

An amendment by Mr. PAUL regarding funding limitation on National Animal Identification System;

An amendment by Mr. KING of Iowa regarding submission of a report on the National Animal Identification System and certain pilot projects;

An amendment by Mr. SCHWARZ of Michigan regarding emerald ash borer;

An amendment by Mr. SWEENEY regarding a funding limitation on examination, inspection, and processing of horses;

An amendment by Mr. WEINER regarding payments to certain cotton and rice producers;

An amendment by Mr. CARTER regarding funding for program integrity activities in Federal Crop Insurance program;

An amendment by Mr. CHABOT regarding a funding limitation on the MAP program;

An amendment by Mr. LUCAS regarding funding for conservation technical assistance programs;

An amendment by Mr. GUTKNECHT regarding funding limitation on section 720 of this bill;

An amendment by Mr. BACA regarding funding limitation on operational changes to the Food Stamp program;

An amendment by Mr. GERLACH regarding funding limitation on section 728 of the bill;

An amendment by Mr. REICHERT regarding funding limitation on certain milk producer handlers;

An amendment by Mr. GARRETT of New Jersey regarding Federal employee attendance at overseas conferences;

An amendment by Mr. GARRETT of New Jersey on food stamp program in contravention of the INA;

An amendment by Mr. ENGEL regarding funding limitation on alternative fuel vehicles;

An amendment by Ms. JACKSON-LEE of Texas regarding claims processing on Pigford v. Glickman case;

An amendment by Mr. KING of Iowa regarding the Livestock Identification and Marketing Act;

An amendment by Mr. BOREN regarding funding limitation on the transfer of activities from Oklahoma;

An amendment by Mr. GORDON regarding energy standards for Federal buildings;

An amendment by Mr. FLAKE regarding funding limitation on dairy education in Iowa;

An amendment by Mr. FLAKE regarding funding limitation on fruit and vegetable market analysis in Arizona and Missouri;

An amendment by Mr. FLAKE regarding funding for Food Marketing Policy Center in Connecticut;

An amendment by Mr. FLAKE regarding funding limitation for greenhouse nurseries in Ohio;

An amendment by Mr. FLAKE regarding funding limitation for aquaculture in Ohio;

An amendment by Mr. FLAKE regarding funding limitation for hydroponic tomato production in Ohio;

An amendment by Mr. FLAKE regarding funding limitation for wood utilization in Oregon, Mississippi, North Carolina, Minnesota, Maine, Michigan, Idaho, Tennessee, Arkansas, and West Virginia;

An amendment by Mr. FLAKE regarding funding limitation for the National Grape and Wine Initiative in California;

An amendment by Mr. FLAKE regarding funding limitation for income enhancement demonstration in Ohio;

An amendment by Mr. FLAKE regarding funding limitation for Appalachian Horticulture Research in Mississippi;

An amendment by Mr. FLAKE regarding funding limitation for the Competitiveness of Agriculture Products in Washington;

An amendment by Mr. FLAKE regarding funding limitation for Value-Added Product Development for Agriculture resources in Montana.

Each such amendment may be offered only by the Member named in this request or a designee, or by the Member who caused it to be printed in the RECORD or a designee, shall be considered as read, shall not be subject to amendment except that the chairman and ranking minority member of the Committee on Appropriations and the Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies each may offer one pro forma amendment for the purpose of debate; and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

Except as otherwise specified, each amendment shall be debatable for 10 minutes, equally divided and controlled by the proponent and an opponent. An amendment shall be considered to fit the description stated in this request if it addresses in whole or in part the object described.

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

Mr. OBEY. Reserving the right to object, Mr. Speaker, as I calculate the time that would be required to dispose of all the amendments made in order by this unanimous consent agreement, it appears to me that it amounts to about 6½ hours just of palaver, without the time consumed by votes; or for that matter, without the time consumed by slippage as we go through the procedures around here.

That means that if every person offers each amendment that is provided for in this unanimous consent request, and if they take the time allotted, we will be here until at least 10:30 or 11 o'clock before we even get to the votes.

Given the fact that there are many amendments, that means, as I see it, that we could be here as late as 2 o'clock tomorrow morning. I would ask Members to keep that in mind when they are determining whether or not they actually want to offer many of these amendments.

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

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

Mr. BONILLA. Mr. Speaker, I could not agree with the gentleman more. The gentleman knows that I have tried to work through this bill as expeditiously as possible. I would concur that we try to expedite this process and minimize the speeches that could be associated with these amendments.

Mr. OBEY. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2007

The SPEAKER pro tempore. Pursuant to House Resolution 830 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. 5384.

□ 1512

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. 5384) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2007, and for other purposes, with Mr. RYAN of Wisconsin in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose earlier today, the bill had been read through page 82, line 14.

Pursuant to the order of the House of today, no further amendment to the bill may be offered except those specified in the previous order of the House of today, which is at the desk.

AMENDMENT OFFERED BY MR. BONILLA

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. BONILLA:

At the end add:

Sec. ____. The limitation in section 721 shall not apply below a program level of $1,127,000,000.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Texas (Mr. BONILLA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

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

Hopefully, this will set an example for dealing with the remaining amendments. We have cleared this amendment that deals with putting money back into the EQIP program. We have cleared it with the minority, and I ask for an ''aye'' vote.

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

The CHAIRMAN. Does any Member seek the time in opposition?

If not, the question is on the amendment offered by the gentleman from Texas (Mr. BONILLA).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. PAUL

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. PAUL:

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

SEC. ____. None of the funds made available in this Act may be used to implement or administer the National Animal Identification System.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Texas (Mr. PAUL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

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

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

Mr. PAUL. Mr. Chairman, my amendment is very simple. It says none of the funds made available in this act may be used to implement or administer a National Animal Identification System. I think at this time one thing that this country doesn't need is another huge bureaucracy tracing and following every animal in the country.

□ 1515

That is exactly what this new program will do. It means that each animal will be tagged with a radio frequency ID, all cattle, swine, sheep, goats, horses poultry, bison, deer, elk, lamas and alpacas.

For one, what you own on your farm should be your property, and that information should be private unless there is some type of a subpoena. There is a fourth amendment issue here.

Also, there is the issue of just why this is being done. A lot of people have claimed, and I agree with this, that this is a benefit to the large agribusiness farmers, and it is a great detriment to the small farmers who will be burdened with this great effort to accumulate data which will be of benefit to some private big companies.

Actually, the database will be controlled by private companies. It will be said that this is a voluntary program, but it has also been told me by the Agriculture Department that if it isn't 100 percent agreed to by the year 2008, it will become mandatory. So it is a little bit of 1984 newspeak about exactly how voluntary it is.

But we certainly don't need this type of program. We already have plenty of programs that trace and monitor movement. There are health requirements and brands and all the other efforts. This, to me, is a bureaucratic boondoggle that we don't need.

Mr. Chairman, I yield 1½ minutes to the gentleman from Colorado (Mr. HEFLEY).

Mr. HEFLEY. Mr. Chairman, I come from cattle country out in Colorado. I can tell you that one of the things that has gotten our cattle producers worked up more than anything in recent times is this animal identification program. They are very, very worried about it.

The feeling is that it is going to take the small producer and put them absolutely out of business. The initial estimates for a national ID program range from $122 million to $550 million, and who will be responsible for that? USDA? The producer? The packer? Again, we don't know, because we have not defined the range and scope of the program.

The Australian Beef Association condemns their mandatory ID program because it is the farmers and the ranchers that have been forced to shoulder the burden. We can understand the need to deal with the Mad Cow problem, but at the same time, the idea that the possibility that every animal you have on your farm, including your chickens and your horses, all of the animals, would have to be identified by some kind of an electronic means is something that just doesn't make any sense at all.

We have spent about $86 million on it already. I think that we ought to go back to the committee and reconsider this. At this time, I would hope that we would not put any money into it whatsoever.

Mr. Chairman, I rise today in support of the amendment that prohibits funds from being directed to an National Animal Identification program, which amounts to a total about $33 million this year. We all know this is a tough budget year, and in no way does this amendment intend to diminish the hard work performed by Chairman BONILLA and his staff. In fact, I applaud the Committee for decreasing the total bill by $7 billion below last year's level. Given our well-known budget problems, it is necessary that we evaluate what programs are working and what ones are not. When I look at the Animal ID program, one that the USDA has spent $85 million on in the last three years and at the earliest estimations, is expected to be fully operational by 2009, I do not see a program that needs $33 million more, rubber-stamped for it. Especially given that this program has seemingly very little direction and has produced very little so far, even though all 50 states are now of registering, very few animals are registered. The Department itself has changed its opinion on the fundamental direction of the program between May and August of last year, moving from defined timeline of implementation for a single national mandatory system to the collection of massive databases. When the Department, the States, as well as the numerous producer groups needed to assist in such a massive undertaking are undecided on even the goals of the program: Is it animal safety and disease control, or food safety? Let alone a course of action, this is not a program we simply need to throw more money at.

Initial estimates for a National ID program range from $122 to $550 million, and who will be responsible: USDA, the producer, the packer? Again we don't know because we have not defined the range and scope of the program. The Australian Beef Association condemns their mandatory ID program because it is the farmers and ranchers that have been forced to shoulder the burden. As this is currently set up, this makes for a massive invasion in privacy rights and will in many cases reinvent the wheel with current branding systems already in place. Furthermore, we must better define how implementation of Country of Origin Labeling will fit into this? We are foolish to look at Animal ID and Congress in a vacuum. In the report of this appropriations bill, the committee expressed concern for the program regarding "mixed signals" about participation and registration. Animal ID accounts for only about 4 percent of APHIS budget but I feel that this money would be better spent on programs like Avian Flu prevention and Emergency programs that are clearly defined, and do not threaten property rights.

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

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

Mr. KINGSTON. Mr. Chairman, I yield myself 1½ minutes.

I certainly appreciate the intent of what the gentlemen are trying to accomplish. I have a lot of sympathy for it, but I oppose the American Farm Bureau at this time. The reason is, we do need to identify those animals who are involved in the food chain for human consumption.

Yet, at the same time, because our language, we worked very closely with the authorizing committee, requires that before it is implemented that we have comments in the Federal Registry which at that time people can weed out those nonessential animals, because I don't want a national bureaucracy knowing about every single animal that I own or a rancher or farmer may own.

During that comment period, it certainly would be my intention, and I think most of us on the authorizing and on the appropriating committee, to make sure what you are saying is correct. So, at this point, I also want to point out that we are delaying any of these funds to be available to the USDA until it publishes the advance notice of proposed rulemaking about the plan. We are doing everything we can in a public comment period.

Mr. Chairman, I yield 2 minutes to the chairman of the authorizing committee, Mr. GOODLATTE.

Mr. GOODLATTE. Mr. Chairman, I thank the gentleman from Georgia for yielding me this time.

I rise in opposition to the amendment.

While I appreciate the intent of the amendment and the questions that have led to it, the appropriations measure as reported contains language on animal identification that should be sufficient to address its concerns. Since becoming chairman of the Agricultural Committee, we have conducted five hearings on the national identification, national animal identification system.

It is clear that animal ID has the potential to significantly improve our animal health monitoring system and enhance our ability to respond to an animal health emergency. Unfortunately, many of the livestock producers I talk with about the USDA's animal ID system, still have questions about cost, liability, regulatory burden, confidentiality and barriers to commerce that have yet to be addressed.

It is reasonable to expect that an individual producer could look at a USDA document and determine what he would be required to do under either the voluntary program or the mandatory program that will follow on later.

Today, it is simply not possible. The Appropriations Committee has included language in their bill that holds funding until the Secretary of Agriculture publishes an advance notice of proposed rulemaking outlining how USDA's animal ID system will work. This informal process will provide the details necessary to have a full and thoughtful debate about animal ID and allow us to find our way forward with this important public policy initiative.

For those who worry an ANPR might slow down an animal ID implementation, I offer this observation, if USDA is not prepared to quickly answer these fundamental questions about its plans, then USDA is in no position to be moving forward in any case.

Mr. PAUL's amendment has the best of intentions. However, the underlying bill has provided the mechanism to work through the issues he seeks to address. For this reason, I believe his amendment should be defeated.

Mr. PAUL. Mr. Chairman, I just want to say that if the gentleman from Georgia does not want another huge bureaucracy, he must support my amendment, because that is what he is going to get. It has already been funded. Even though there is pretense that there is a restraint on funding, it has already been funded, so it is in motion.

Mr. Chairman, I yield the balance of my time to the gentleman from Indiana (Mr. HOSTETTLER).

Mr. HOSTETTLER. Mr. Chairman, I rise in strong support of the Paul amendment. The proposed national animal ID system will force small family farmers and ranchers to spend thousands of dollars as well as comply with

new paperwork and monitoring regulations to implement and operate the national ID system. This unnecessary financial burden could ruin small farms.

As we all know, many of America's small farms are struggling to survive in today's environment. They are teetering on a line that fluctuates with the seasons, with disease and with ever-changing markets. The national animal ID system will only push these farmers further into financial troubles. By forcing small farms to adhere to unfair bureaucratic regulation, you will be driving third and fourth generation farmers out of the only livelihood they have ever known.

In town hall meetings across my district, constituents have expressed to me their concerns with the proposed program. They are afraid of losing their farms because of big brother looking over their shoulder and forcing them to adhere to unrealistic and intrusive regulations.

I urge my colleagues to support the Paul amendment and stand up for the thousands of hardworking small farmers in our country.

Mr. KINGSTON. Mr. Chairman, I yield 1 minute to the gentleman from Minnesota (Mr. PETERSON).

Mr. PETERSON of Minnesota. Mr. Chairman, I rise today in opposition of this amendment. Although I have to say that the way the Department so far has administered this thing, I have some sympathy for what you are saying, but not for the same reasons.

We have spent $84 million so far. We haven't accomplished a whole lot. In Canada, they put this up for $6 million. In Australia, they set their system up for $10 million. We could have done this for a lot less money if we had gone about it in the right way.

I introduced a bill some time ago to make a mandatory system. But the fact of the matter is, if you don't think we need a national ID system in this country, you have got your head in the sand, because we are going to have a problem. It is going to be foot and mouth, or it will be something else.

If we don't have a system, we are in big trouble. We are never going to get back in the Japanese market, some of these other markets, if we don't have an ID system in this country that works. So this is not the right way to go, and I urge rejection of this amendment.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. KINGSTON. How much time is remaining, Mr. Chairman?

The CHAIRMAN. The gentleman has 30 seconds left.

Mr. KINGSTON. I will yield 10 seconds to the gentleman from Texas if 10 seconds will help him.

Mr. PAUL. I thank the gentleman for yielding.

I just want to urge an ''aye'' vote to try to slow up at least a brand new bureaucracy that is going to play havoc with our small farmers.

Mr. KINGSTON. Mr. Chairman, I want to urge a ''no'' vote and say that we are going to join Mr. PAUL in fighting a new bureaucracy and also to weed out an excessive burden on small farmers and too much information to the Federal Government. That is why we have delayed the funding of this until the advanced notice for proposed rulemaking has been filed, and we are going to work on a bipartisan basis to get that right. So please vote ''no.''

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

Mr. Chairman, as the gentleman from Texas knows, I have a great deal of respect for him. He and I do not agree very often, but I think that he is a very thoughtful watchdog in this House, and I appreciate the fact that he is suspicious of government overreach wherever it comes from.

Having said that, I want to echo the words of the gentleman from Minnesota. If you think that we are going to be able to sell our meat products on international markets without eventually having a system like this, you are smoking something that ain't legal. It simply is not going to happen. To defend the ability of our producers to export, we are going to have to have a decent animal ID system. We are also going to have to have a decent animal ID system in order to protect the public health of our own citizens. So we need to have this go forward.

What the committee is doing is recognizing that the Agriculture Department has handled this issue so badly that they have given incompetence a bad name. And what the committee has therefore done is to say that until the department gets its act in order, there will be no funds provided, but we leave the possibility open for funding once they get their act together. That is the responsible way to force the agency to quit jerking farmers around. I mean, it is like watching a tennis game; bump, bump, bump. They change their mind every 5 minutes. You cannot keep your eye on the ball. One day they have one approach; one day they have another. And as a result, farmers are frustrated, consumers are confused, and taxpayers are bilked for a heck of a lot more money than this system ought to cost. We would not even be having this debate today if USDA had handled this in a fashion which was in any way competent, but they did not. So now we pay the price with debates such as this.

I would urge that the House support the committee in this position. It is taking the responsible path on this issue. And I would urge that we turn down the amendment even though I fully appreciate the frustration that lies underneath the actions of the people who have offered the amendment today.

Ms. DELAURO. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I want to associate myself with the comments of Mr. OBEY and Mr. PETERSON. I think that there is not any question that on all sides of this issue there has been great frustration with the way in which the USDA has handled this issue.

In exchange, in the budget hearing this year, we find on one day it is a mandatory program and the next day it is a voluntary program. What we are doing is, we continue to put at risk the industry and its ability to be able to protect the ranchers, and on the other hand, it does not deal with looking at, how do we protect the public health?

The bill does address this issue, and it acknowledges what the problems are. And I think that we said very clearly that until there is a complete and a detailed plan for the program included, not limited to, pro-legislative changes, cost estimates, means of program evaluation, and that such a plan is published as an advanced notice of proposed rulemaking that these are the kinds of requirements that have been put in by the committee.

And I want to urge my colleagues, though I understand, again, what the frustration is about this issue, to oppose the amendment and move with what the committee has put forward.

□ 1530

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

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

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

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

AMENDMENT OFFERED BY MR. BOREN

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. BOREN:

Page 82, after line 14, insert the following:

SEC. 753. None of the funds provided by this Act for the Agricultural Research Service may be obligated or expended to reprogram programs and resources currently operating at Lane, Oklahoma.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Oklahoma (Mr. BOREN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oklahoma.

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

Mr. Chairman, my amendment would allow the scientists and support staff at the Agriculture Research Lab in Lane, Oklahoma, to continue their valuable work at the facility. The lab is important not only to my district and the State of Oklahoma, but also makes significant contributions to agriculture in the region, Nation, and across the globe.

When the center was established in 1985, it was in response to the need for new and improved innovations in agriculture for the south central region of this country. I believe that need still exists.

The ARS lab at Lane shares a facility with Oklahoma State University's Wes Watkins Research and Extension Center, named for one of my predecessors in Congress.

To give you an example of the work being done at this lab, scientists at Lane are leading research on watermelon vine decline. Watermelon growers have determined this to be the most important challenge they will face in the coming years. But with the experience and leadership that exists at Lane, they are confident they can meet this challenge.

The facility is recognized nationally and internationally as a center for excellence for vine crop research, especially on watermelons and cantaloupe. It is important our research facilities be spread across the State and country to provide the best research for varying soil types and climates.

For these reasons, Mr. Chairman, I urge my colleagues to support this amendment.

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

The CHAIRMAN. Who seeks time in opposition?

Mr. KINGSTON. Mr. Chairman, if the gentleman will yield, I want to say on behalf of the Chair, we are ready to accept this amendment. I know you have worked very hard on this facility, and I know your passion for it. The committee accepts the amendment.

Mr. BOREN. Mr. Chairman, I thank the other side and the chairman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma (Mr. BOREN).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. TIAHRT

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. TIAHRT:

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

SEC. ____. None of the funds made available in this Act may be used to promulgate regulations without consideration of the effect of such regulations on the competitiveness of American businesses.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Kansas (Mr. TIAHRT) and a Member opposed each will control 5 minutes.

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

The CHAIRMAN. A point of order is reserved.

The gentleman from Kansas is recognized for 5 minutes.

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

Mr. Chairman, my amendment is very simple. It just says that none of the funds made available in this act will be used to promulgate regulations without consideration of the effect that such regulations would have on the competitiveness of American businesses.

Mr. Chairman, over the last generation, Congress has created barriers to keeping and creating jobs in America. There are at least eight major barriers in which our policies have been preventative of keeping jobs in America. They consist of health care policy that is driving the fastest growth in costs in America, making it more difficult to keep and create jobs. It includes a tax policy that punishes success. It includes litigation costs that result in court costs, lawyer fees and higher liability insurance costs. It includes an energy policy that has prevented exploration, expansion of refinement capability, and new renewable energy resources. It includes trade policy that hasn't been properly enforced. And it has allowed American companies to be targeted by foreign-owned government businesses. It includes an education policy that is not meeting the needs of the next more technological economy. It includes research and development funding that is not focused on the ideas that will move us into a strong position for tomorrow's products in the next economy. And it includes a regulatory policy that slows the growth of our economy by taking an adversarial role which works against those that create and keep jobs in America.

Mr. Chairman, I would like to explain just one example of how the funding in this bill has been used by government agencies to prevent us from creating and keeping jobs in America.

Creekstone Farms is a small Kansas beef processing plant in my congressional district that has sought permission from the United States Department of Agriculture since early 2004 to voluntarily conduct BSE tests or screening tests on cattle. USDA has repeatedly refused to allow BSE test kit manufacturers to sell the test kits to companies who want to voluntarily test for BSE.

Let me say, Mr. Chairman, the American food system is completely safe with many checks and balances built into our production, processing, distribution, and retail system. Mad cow disease has never made it into our markets. In December of 2003, USDA detected the first case of mad cow disease, but that case never made it into our system. It is completely safe. Our food supply is completely safe.

But concerns developed overseas in several of our export markets, specifically in Japan and South Korea. They banned our meat products from their markets. Since then, we have lost over $4 billion in sales and thousands of jobs, some of them right in Kansas.

South Korea and Japan are looking for more confidence in their meat supply. We believe it is perfectly safe, but they want something to tell their consumers.

Creekstone proposed a screening test on a voluntary basis of each carcass so that they could provide that level of confidence to the consumers in South Korea and in Japan. But when they went to the United States Department of Agriculture to get permission to do this screening, they were told no. Not only was Creekstone told no, but the company that manufactured these test kits for BSE was told, no, you cannot sell these kits to Creekstone.

Whatever happened to the old adage that the consumer is always right? In America, we have built a strong economy by meeting the needs of the consumers, by opening new markets to a developing level of confidence.

For example, the side air bags in an automobile: an automobile that has side air bags, gives some people more confidence that it is safe and therefore they are willing to spend a little extra money on buying a car with side air bags. But not all cars have side air bags. The Department of Transportation said, yes, it is fine. If you want to meet those customers' needs and they want to pay a little more, then go ahead and voluntarily put side air bags in automobiles.

Unlike the Department of Transportation, USDA has said that you cannot use this type of voluntarily based marketing to meet consumers needs, so they have completely shut off this area of letting us develop this new market, and the consumers in South Korea and Japan still don't have enough confidence to buy American beef. We have lost that market now to Australia and New Zealand, and it is going to be difficult for us to gain it back.

Creekstone has an idea to regain this market, but it is the government-regulation bureaucracy that is preventing us from opening that market and keeping and creating jobs in America.

Mr. Chairman, this is just one example of how regulations can keep us from expanding and preparing for the next economy. Other nations are preparing for the next economy, but we are not.

Mr. Chairman, I realize this is authorization on an appropriations bill and it is my I intent to ask unanimous consent to withdraw this amendment, but I will not withdraw from the fight of creating a strong economy for tomorrow's future.

Mr. Chairman, I respectfully withdraw this amendment.

The CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

AMENDMENT OFFERED BY MR. KING OF IOWA

Mr. KING of Iowa. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. KING of Iowa:

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

SEC. ____. (a) SHORT TITLE.—This section may be cited as the ''Livestock Identification and Marketing Opportunities Act''.

(b) FINDINGS.—Congress finds the following:

(1) For purposes of animal health investigation and surveillance, there needs to be

an identification system that can trace animals from the time of first movement of the animal from its original premise to the time of slaughter of the animal in less than 48 hours.

(2) The beef industry estimates that the United States cattle industry lost approximately $3,000,000,000 in export value on beef, beef variety meats, hides, and tallow during the 12 months after a December 2003 diagnosis in the United States of bovine spongiform encephalopathy. A livestock identification system may have prevented some of this loss.

(3) In order to be as efficient as possible, the livestock identification system needs to be automated and electronic with participants using compatible technologies.

(4) The livestock identification system needs to be flexible enough to adapt to changes in technology and to the demands of the industry and the markets.

(5) The best technology available should be used for the livestock identification system while still allowing for registration into the system for livestock owners who are economically disadvantaged.

(6) Confidentiality of information on animal movements, sales, and ownership is necessary to ensure that livestock owners have the confidence to comply with and fully participate in the livestock identification system.

(7) Besides animal disease surveillance, the livestock identification system should provide a commercial information exchange infrastructure that would allow for enhanced marketing opportunities.

(c) LIVESTOCK IDENTIFICATION BOARD.—

(1) ESTABLISHMENT.—There is established a board to be known as the ''Livestock Identification Board''.

(2) DUTIES.—The duties of the Board shall be to—

(A) establish and maintain an electronic livestock identification system that—

(i) is capable of tracing all livestock in the United States from the time of first movement of the livestock from its original premise to the time of slaughter of such livestock in less than 48 hours;

(ii) tracks all relevant information about the livestock, including—

(I) the livestock identification number or the group or lot identification number for the livestock, as applicable;

(II) the date the livestock identification number or the group or lot identification number was assigned;

(III) the premise identification number;

(IV) the species of the livestock;

(V) the date of birth of the livestock, to the extent possible;

(VI) the sex of the livestock;

(VII) any other information the Board considers appropriate for animal disease surveillance; and

(VIII) any other information that the person who owns or controls the livestock voluntarily submits to the Board;

(B) maintain information obtained through the livestock identification system in a centralized data system; and

(C) determine the official identification technology to be used to track animals under the livestock identification system.

(3) POWERS.—The Board may—

(A) prescribe and collect fees to recover the costs of the livestock identification system; and

(B) establish and maintain a grant program to assist persons with fulfilling the requirements of the livestock identification system.

(4) MEMBERSHIP.—

(A) VOTING MEMBERS.—The Board shall be composed of 7 voting members appointed by the Secretary of Agriculture, in consultation with the Chair and ranking minority member of the relevant congressional committees, of whom—

(i) 1 member shall be a representative of cattle owners;

(ii) 1 member shall be a representative of swine owners;

(iii) 1 member shall be a representative of sheep and goat owners;

(iv) 1 member shall be a representative of poultry owners;

(v) 1 member shall be a representative of livestock auction market operators;

(vi) 1 member shall be a representative of meat processors; and

(vii) 1 member shall be a person actively engaged in the livestock industry.

(B) NON-VOTING MEMBERS.—The Board shall include 2 non-voting members appointed by the Secretary, in consultation with the Chair and ranking minority member of the relevant congressional committees, of whom—

(i) 1 member shall be a representative of the Department of Agriculture; and

(ii) 1 member shall be a representative of State or tribal veterinarians or State or tribal agriculture agencies.

(C) TERMS.—

(i) IN GENERAL.—Each member shall be appointed for a term of 3 years, except as provided by clauses (ii) and (iii).

(ii) TERMS OF INITIAL APPOINTEES.—As designated by the Secretary at the time of appointment, of the voting members first appointed—

(I) the members appointed under clauses (ii), (iv), and (v) of subparagraph (A) shall be appointed for a term of 2 years; and

(II) the members appointed under subparagraphs (iii) and (vii) of subparagraph (A) shall be appointed for a term of 1 year.

(iii) VACANCIES.—Any member appointed to fill a vacancy occurring before the expiration of the term for which the member's predecessor was appointed shall be appointed only for the remainder of that term. A member may serve after the expiration of that member's term until a successor has taken office. A vacancy in the Board shall be filled in the manner in which the original appointment was made.

(D) CHAIRPERSON.—The Chairperson of the Board shall be elected by its members.

(E) APPOINTMENT.—The Secretary shall appoint all members of the Board not later than 45 days after the date of the enactment of this section.

(5) MEETINGS.—

(A) INITIAL MEETING.—Not later than 60 days after the date of the enactment of this section, the Board shall hold its initial meeting.

(B) SUBSEQUENT MEETINGS.—The Board shall meet at the call of the Chairperson.

(6) QUORUM.—4 voting members of the Board shall constitute a quorum.

(7) PAY.—Members of the Board shall serve without compensation.

(8) TRAVEL EXPENSES.—Each member of the Board shall receive travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5, United States Code.

(9) STAFF.—The Board may appoint and fix the pay of personnel as the Board considers appropriate.

(10) CONTRACTS.—The Board may contract with or compensate any persons for goods or services.

(11) RULES AND REGULATIONS.—The Board may issue such rules and regulations as may be necessary to carry out this section.

(12) IMPLEMENTATION.—

(A) IN GENERAL.—The Board shall implement the livestock identification system established pursuant to this section not later than December 31, 2008.

(B) REPORT.—Not later than one year after the date of the enactment of this section, and quarterly thereafter until December 31, 2010, the Board shall submit to the Secretary of Agriculture and the relevant congressional committees a report on the status of the implementation of the livestock identification system, including—

(i) for each species subject to the system, the number of animals or groups of animals tracked by the system; and

(ii) the percentage of each animal species subject to the livestock identification system that are tracked by the system, which shall be determined by dividing the number submitted under clause (i) for a species by the total number of animals of such species in the United States.

(d) PREMISE IDENTIFICATIONS.—Not later than nine months after the date of the enactment of this section, the Secretary of Agriculture shall establish a premise identification system for all premises in the United States. The premise identification data shall be made available to the Board and shall include—

(1) a premise identification number;

(2) the name of the entity that owns or controls the premise;

(3) contact information for the premise, including a person, address, and phone number;

(4) the type of operation at the premise; and

(5) the date the premise number was assigned.

(e) ENFORCEMENT; FIRST ENTRY INTO COMMERCE.—Subject to subsection (f)(2), the Secretary of Agriculture shall verify that each animal, or group of animals, where applicable, subject to the livestock identification system established pursuant to subsection (c) is properly identified upon first entry of the animal into commerce. Any animal or group of animals that the Secretary determines is not properly identified shall be identified using the official identification technology before entering commerce.

(f) VOLUNTARY PARTICIPATION FOR OTHER ANIMAL SPECIES.—

(1) IN GENERAL.—The owner of an animal or group of animals, where applicable, that is not subject to the livestock identification system established pursuant to subsection (c) may voluntarily subject such animal or group of animals to tracking by such livestock identification system.

(2) ENFORCEMENT EXEMPTION.—The voluntary tracking of such animal or group of animals shall not make the animal or group of animals subject to the enforcement actions of the Secretary under subsection (e).

(g) RELEASE OF LIVESTOCK IDENTIFICATION NUMBERING INFORMATION.—

(1) FREEDOM OF INFORMATION ACT.—Information obtained through the livestock identification system established pursuant to subsection (c) or the premise identification system established pursuant to subsection (d) is exempt from disclosure under section 552 of title 5, United States Code.

(2) CHARACTER OF LIVESTOCK IDENTIFICATION SYSTEM INFORMATION.—Except as provided in paragraphs (3) and (4), information obtained through the livestock identification system or the premise identification system—

(A) may not be released;

(B) shall not be considered information in the public domain; and

(C) shall be considered commercial information that is privileged and confidential.

(3) LIMITED RELEASE OF INFORMATION AUTHORIZED.—Notwithstanding paragraph (2), the Board may release information obtained through the livestock identification system or the premise identification system (other

than information voluntarily submitted pursuant to subsection (c)(2)(A)(ii)(VIII)) regarding particular livestock if—

(A) a disease or pest poses a significant threat to the livestock that the information involves;

(B) the release of the information is related to actions the Board may take under this section; and

(C) the person obtaining the information needs the information for reasons consistent with the public health and public safety purposes of the livestock identification system, as determined by the Secretary of Agriculture.

(4) LIMITED RELEASE OF INFORMATION REQUIRED.—

(A) IN GENERAL.—Notwithstanding paragraph (2), the Board shall promptly release information obtained through the livestock identification system or the premise identification system (other than information voluntarily submitted pursuant to subsection (c)(2)(A)(ii)(VIII)) regarding particular livestock—

(i) to the person who owns or controls the livestock, if the person requests such information;

(ii) to the Secretary of Agriculture for the purpose of animal disease surveillance;

(iii) to a State or tribal veterinarian or a State or tribal agriculture agency for the purpose of animal disease surveillance;

(iv) to the Attorney General for the purpose of investigation or prosecution of a criminal act;

(v) to the Secretary of Homeland Security for the purpose of national security;

(vi) to the Secretary of Health and Human Services for the purpose of protection of public health; and

(vii) to the government of a foreign country, if release of the information is necessary to trace livestock threatened by disease or pest, as determined by the Secretary.

(B) INFORMATION VOLUNTARILY SUBMITTED.—Notwithstanding paragraph (2), on the request of a person who owns or controls livestock, the Board shall release information voluntarily submitted to the Board pursuant to subsection (c)(2)(A)(ii)(VIII) regarding such livestock to such person or to another person.

(5) CONFLICT OF LAW.—If the information disclosure limitations or requirements of this subsection conflict with information disclosure limitations or requirements of a State law and such conflict involves interstate or international commerce, this subsection shall take precedence over the State law.

(h) REPORT ON IMPACT OF LIVESTOCK IDENTIFICATION SYSTEM.—Not later than 180 days after the date of the enactment of this section, the Secretary of Agriculture shall submit to the Committees on Appropriations of the House of Representatives and the Senate, the Committee on Agriculture of the House of Representatives, and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report on a livestock identification system, including—

(1) the lessons learned and the effectiveness of the animal identification system pilot programs funded in fiscal year 2005;

(2) an analysis of the economic impact of a livestock identification system on the livestock industry; and

(3) the expected cost of implementing a livestock identification system.

(i) CONFORMING AMENDMENTS.—Subsection (f) of section 282 of the Agricultural Marketing Act of 1946 (7 U.S.C. 1638a) is amended—

(1) by striking ''CERTIFICATION OF ORIGIN.—'' and all that follows through ''To certify the country of origin'' and inserting ''CERTIFICATION OF ORIGIN; EXISTING CERTIFICATION PROGRAMS.—To certify the country of origin''; and

(2) by redesignating subparagraphs (A) through (E) as paragraphs (1) through (5), respectively.

(j) DEFINITIONS.—In this section:

(1) The term ''Board'' means the Livestock Identification Board established under subsection (c)(1).

(2) The term ''livestock'' means cattle, swine, sheep, goats, and poultry.

(3) The term ''premise'' means a location that holds, manages, or boards animals.

(4) The term ''relevant congressional committees'' means the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate.

(5) The term ''Secretary'' means the Secretary of Agriculture.

(k) AUTHORIZATION OF APPROPRIATONS.—There is authorized to be appropriated to carry out this section $33,000,000 for each of fiscal years 2007 through 2009.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Iowa (Mr. KING) and a Member opposed each will control 5 minutes.

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

The CHAIRMAN. The gentleman from Georgia reserves a point of order.

The Chair recognizes the gentleman from Iowa for 5 minutes.

Mr. KING of Iowa. Mr. Chairman, the amendment I offer today is an amendment that is made up of an original bill that I drafted as a stand-alone bill actually to establish a livestock identification plan. It is called the LIMO Act, the Livestock Identification and Market Opportunities Act.

We have heard debate here on the gentleman from Texas' amendment, and it is recognized I believe throughout the industry, certainly the industry in Iowa and the industry across the country that I have had the opportunity to interrelate with, that we must go to a livestock identification plan at some point.

If we are going to make a change, the quicker the better. We are losing market share in Asia right now because we are not able to identify our livestock. I took the initiative to travel to different locations on the globe to inspect their livestock identification systems, including some of the locations in Europe, including Canada and especially Australia, where I tracked their livestock from birth to slaughter and each one of those stops that they have there. They were very helpful and cooperative.

As I looked at all the models that were out there and worked with our major commodities groups that we have here in this country and sat down and sorted through the differences, we produced this bill that I think stands alone as the single most carefully thought-out crafted and customized piece of livestock identification that has been presented to this Congress.

It recognizes the gentleman from Minnesota's contribution for protection of the Freedom of Information Act and a number of other interests and points that needed to be incorporated into this legislation.

But what it does is it establishes a livestock identification board and keeps the control of the data within the hands of the producers. This is a quasi-private sector entity that will be established. It establishes a board that is made up of seven members, voting members. There is one each representing the beef industry, one for swine, one for poultry, which includes chicken and turkeys, one for sheep and goats together, and also a voting position that would be a member-at-large as well as a representative from the meat processors and another representative from the livestock auctioneers. Those would be the voting members of the board.

Also on the board would be two ex-officios that would be appointed by the Secretary of Agriculture, as would the entire board. Those ex-officios would be one from USDA, our Secretary of Agriculture's appointment, and one from the State veterinarians or Tribal veterinarians organizations. So we have a producer-driven consortium that runs this, and they will be the controllers of the data.

We set up the standards by which the data would be available to the Secretary of Agriculture in the event of the necessity to eradicate disease and give Freedom of Information Act protection.

So this process we have protects the producers from having their data within the control of the USDA; it makes it within the click of a mouse of the Secretary of Agriculture if there is a disease that needs to be eradicated. So we find the best of both worlds.

But the firewall is there. The Secretary can only access the data that is necessary for eradication, and the balance of the data that would be entered into this program would be data that would be voluntarily submitted then by the producers, and they could then use this data for market opportunity, for breeding purposes, for marketing purposes, and particularly our purebred breeders will be able to utilize it.

This is an idea whose time has come. It is carefully well thought out, and this is the opportunity presented to this Congress for evaluation by the Members.

I recognize that it is policy that would be amended on to an appropriations bill, and I recognize the gentleman's point of order; but I hope that this Congress recognizes the necessity to take a careful look at this well-thought-out livestock identification plan that gives Freedom of Information Act protection.

It is driven by the membership, by the producers. They will be able to control their own data, and they will also control then the input into that data. We will let them apply some fees, and the fees then can go to fund the operation of the management of the data,

and I am convinced it will be far cheaper than what will be done by the agency.

But the important part is this: it respects the contributions made by the other entities out there. The cattle industry, for example, the swine industry, they have been out there doing their contributions from a volunteer perspective.

Envision, if you will, a house with many rooms and different electricians coming into each room, wiring the lights and hanging the lights, but not wiring every room and not hanging lights in every room, just some rooms, the room for beef, the room for pork; but we don't have a junction box, we don't have a way to bring the power in.

This bill is the junction box in that house. It brings the power in that lights up all the work that has been done by the other entities, including the USDA, and it wires the rooms that haven't been wired to this point, such as sheep and goats, and it allows for group identification.

That is pretty much the quick once-over of the livestock identification bill, the LIMO Act, Mr. Chairman.

Mr. Chairman, recognizing the point of order that has been pointed out by the chairman, I would respectfully ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Without objection, the gentleman's amendment is withdrawn.

There was no objection.

□ 1545

AMENDMENT NO. 12 OFFERED BY MR. CHABOT

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 12 offered by Mr. CHABOT:

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

SEC. ____. None of the funds appropriated or otherwise made available by this Act may be used to carry out section 203 of the Agriculture Trade Act of 1978 (7 U.S.C. 5623) or to pay the salaries and expenses of personnel who carry out a market program under such section.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Ohio (Mr. CHABOT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio.

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

Mr. Chairman, our national debt is now $8.3 trillion. Each day we add another $1.7 billion to it. Each American's share is about $28,000. Think about that. In order for the United States to be debt free, every American, all 299 million of us, would have to write a check for about $28,000. Each year the Department of Agriculture writes checks underwritten by the American taxpayer to foot the bill for the Market Access Program, MAP, a program that pays industry associations, cooperatives and State and regional trade groups to market their wares overseas.

Now, should these groups market these wares overseas? Absolutely. We want them to be successful. We want them to create jobs. But they ought to do it on their dime, not on the dime of the American taxpayer.

Mr. Chairman, we have spent more than a billion tax dollars on a program with dubious economic benefits. We cannot even be sure that these tax dollars are not simply saving those groups money that they would have spent on overseas marketing anyway.

So who is receiving those tax dollars? The National Potato Research and Promotion Board has received well over $1 million. The Raisin Administrative Committee has received nearly $3 million, and a group called Asparagus USA has received hundreds of thousands of dollars worth of funding. That is a lot of asparagus.

It is also the type of wasteful spending that leads to big deficits and higher taxes. Mr. Chairman, in these difficult budget times, if we cannot cut a program like MAP, I think we are in serious trouble.

While MAP at a cost of a couple hundred million dollars annually might by some be just considered a blip in a $2.7 trillion budget, the cost of these programs add up, and the cumulative effect of programs like MAP is the reason that we have this $8.3 trillion debt.

Mr. Chairman, my amendment is straightforward. It would simply prohibit the Agriculture Department from funding the MAP Program. It is supported by groups like the National Taxpayers Union, Citizens Against Government Waste, and Taxpayers for Common Sense, to name a few. It is a commonsense amendment, Mr. Chairman.

We are spending too much money, and it is time to start cutting wasteful spending program by program and restore some fiscal sanity to this House.

I urge my colleagues to cast a vote for taxpayers and support this amendment.

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

Mr. KINGSTON. Mr. Chairman, I would like to claim the time in opposition.

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

Mr. KINGSTON. Mr. Chairman, I certainly applaud all of the efforts of Mr. CHABOT for cutting spending and so forth. And yet I find myself on the opposite side with him on this. The reason is that Tom Friedman has written a very famous book right now called, The World is Flat. And the world is flat, and it is flat because we are in a global economy, where a farmer in the Philippines or in Indonesia or in Russia can compete with a farmer from Ohio or Georgia, just as easy as if he was in the same country.

What the MAP program does is it helps sell our goods overseas. Two or three hours ago when we opened up this bill, I said that one of our farmers' big challenges right now is foreign subsidies competing against American ag products. Well, quite often, the World Trade Organization seems to allow foreign farmers to have subsidies but not American farmers.

Mr. Chairman, this is one tool that helps us combat that. I would point out that the ag exports at this point are over $64 billion, the highest level in history. And one reason is this, is because the Market Access Program has shown our farmers, whether you are growing Vidalia onions or peanuts or strawberries, how to sell your goods overseas.

And for every $1 billion in sales overseas, there is about 16,000 domestic jobs that are created. In fiscal year 2005, almost 1 million Americans had jobs that depend on U.S. American agricultural exports. MAP is an integral part of that program. And yet it is not just for farmers alone, here, come get your check. They have to contribute up to 50 percent of the program's cost. And since 1992, the MAP participants have increased their contributions from 30 percent to 166 percent.

I urge my colleagues to oppose the Chabot Amendment.

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

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

Mr. KINGSTON. Mr. Chairman, can I ask how much time we have?

The CHAIRMAN. Each side has 2½ minutes remaining.

Mr. KINGSTON. Mr. Chairman, I yield the balance of our time to the distinguished chairman of the Agriculture Committee, the gentleman from Virginia (Mr. GOODLATTE).

Mr. GOODLATTE. Mr Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, I rise in opposition to the amendment offered by Mr. CHABOT to limit funding to the Market Access Program. This very important program helps boost U.S. agricultural exports.

U.S. agricultural exports are expected to be $64.5 billion in 2006, resulting in a trade surplus of more than $1 billion. Just a year ago, this trade surplus was significantly higher, but with increased subsidized foreign competition, all U.S. economic sectors have seen a steady increase in trade deficits.

Agriculture is still one of the few sectors of the American economy to enjoy a trade surplus, and it is programs such as MAP that enable this. Exports also provide needed jobs throughout the U.S. economy and generate economic activity in the nonfarm economy.

Nearly every State exports agricultural commodities. Agricultural exports in 2001 generated an estimated 912,000 full-time civilian jobs, including 461,000 jobs in the nonfarm sector. MAP helps the U.S. meet heavily subsidized foreign competition.

Mr. Chairman, the European Union spent more than $3.25 billion in 2003 on agricultural export subsidies, compared to about $30 million by the U.S. The EU and other foreign competitors are moving aggressively in providing other forms of assistance to maintain and expand their share of the world market at the expense of U.S. farmers and ranchers.

In recent years, they have devoted approximately $1.2 billion for market development and related activities. Without U.S. policies and programs to counter such subsidized competition, American farmers and ranchers will be at a substantial disadvantage.

MAP is specifically targeted to help small businesses, farmer cooperatives and trade associations to meet this subsidized foreign competition. It is not a subsidy to big business as some would want you to believe; in fact, it represents a successful public-private partnership.

MAP is administered on a cost-share basis by the U.S. Department of Agriculture with farmers, ranchers and other participants required to contribute up to 50 percent toward the program. In fact, since 1992, for every dollar contributed by Federal funding, MAP participants have increased their contributions from 30 percent to 166 percent.

According to the USDA, every Federal dollar invested has resulted in $16 in additional U.S. agricultural exports.

Mr. Chairman, in closing, I urge my colleagues to vote against this misguided amendment. MAP helps U.S. agricultural exports meet foreign competition, improves U.S. trade, strengthens farm income and protects American jobs.

Mr. CHABOT. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Tennessee (Mr. DUNCAN).

Mr. DUNCAN. Mr. Chairman, I rise in strong support of the Chabot amendment. I know that its passage is very unlikely, but this is the type of thing that a conservative Congress should be doing. In fact, the Citizens Against Government Waste says, facing a massive Federal deficit, there is no reason taxpayers should be underwriting the advertising campaigns of multimillion dollar corporations.

Cutting funding for these programs would save precious taxpayer dollars and provide a dose of common sense to our agricultural programs.

In addition to that, the National Taxpayers Union says, this program is ''an egregious example of Congress's unlimited appetite for special interest funding.'' Mr. CHABOT has already mentioned the $8.3 trillion national debt. What is even worse is that the Congressional Budget Office says we are going to add $350 to $400 billion each of the next 10 or 11 years to that debt.

If we cannot do this, then we cannot call ourselves conservatives.

Mr. CHABOT. Mr. Chairman, I yield myself the balance of our time.

Mr. Chairman, I would also like to read another portion of the National Taxpayers Union letter. They say that the National Taxpayers Union and its members strongly favor free trade and the private efforts of American businesses that engage in both export and import operations.

However, it is absurd to force overburdened taxpayers to subsidize commodity producers as diverse as the Cherry Marketing Institute and the Mohair Council of America in their strategies to market their products overseas.

In fact, taxpayer subsidized trade is not really free trade at all. The more U.S. taxpayers are forced to support economically dubious programs, such as the MAP, the less credibility our Nation has in adhering to free trade principles. One would think that with the Federal deficits looming far into the future, and government spending out of control, Congress would take swift action to abolish some of the most wasteful and unnecessary Federal programs.

Although MAP is indeed relatively small when compared with other massive bureaucracies found in Washington, the elimination of smaller programs will hopefully present Congress with an opportunity to begin trimming corporate welfare and pork barrel spending from the Federal budget.

Mr. Chairman, again, I just want to emphasize in concluding, we want these organizations to advertise overseas. We want them to be successful. We want them to create jobs, but they need to do it on their money and not on the taxpayer's money.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. CHABOT).

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

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

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

AMENDMENT OFFERED BY MR. GORDON

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. GORDON:

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

SEC. 753. None of the funds made available by this Act shall be used in contravention of the Federal buildings performance and reporting requirements of Executive Order 13123, the National Energy Conservation Policy Act, and the Energy Policy Act of 2005.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Tennessee (Mr. GORDON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Tennessee.

Mr. GORDON. Mr. Chairman, it is my understanding that this amendment is going to be accepted.

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

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

Mr. BONILLA. Mr. Chairman, the gentleman is correct. We would be happy to accept the amendment. If the gentleman would like to submit his remarks for the RECORD, we can vote on this and move on, again with favorable support for the gentleman's amendment.

Mr. GORDON. Mr. Chairman, I understand the message.

Despite the high cost of energy and existing laws enforcing conservation, Federal agencies still do not give energy efficiency a priority and continually fall short of meeting their requirements.

Our estimates are that the Federal Government wasted almost half a billion dollars in the last 2 years by not meeting its requirements—or roughly equivalent to 8,200 barrels of oil every day—a total of 6 million barrels over the last 2 years.

This happens because the laws already on the books are not taken seriously enough. The National Energy Conservation Policy Act (NECPA), last year's Energy Bill (EPACT), and a related Executive Order all clearly state that agencies shall meet aggressive but reasonable energy efficiency goals and standards and to prepare reports to the Department of Energy, the Office of Management and Budget, and the Congress and on the agencies' performance. Yet the Federal Regulations that govern new building construction are 17 years out of date and the reports reach the Congress months or years after the data is available.

The amendment I am offering today would increase the incentive for agencies receiving appropriations under the Agriculture Appropriations bill to comply with the law by tying Federal buildings performance to appropriations.

This amendment simply states that none of the funds made available by this Act shall be used in contravention of Federal buildings performance requirements. Therefore, agencies must adhere to existing law when constructing, leasing or refurbishing any building with money appropriated under this act.

These relatively simple steps in designing new buildings in conformance with current law, measuring building performance, and procurement of energy efficient products will contribute to substantial energy savings in the Federal sector—lessons that have already been learned outside the Federal Government.

Increased energy conservation in the Federal sector means cleaner air, cleaner water, and in a time of soaring energy costs, keeping money in taxpayers pockets.

How can we expect consumers and industry to make sacrifices and commit to energy conservation when the Federal Government fails to make it a priority for itself?

Mr. Chairman, I urge adoption of the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee (Mr. GORDON).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. CARTER

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. CARTER:

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

SEC. 7____. Not more than $3,600,000 of the funds made available in this Act under section 522(e) of the Federal Crop Insurance Act (7 U.S.C. 1522(e)) may be used for program compliance integrity under section 515 of such Act (7 U.S.C. 1515).

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Texas (Mr. CARTER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. CARTER. Mr. Chairman, it is very seldom that we get good news around here, but the purpose of this amendment is the continuation of a program that is a success.

Tarleton State University has put together a data mining program in which they have been examining the operations of the crop insurance program. And they have to date saved this country $450 million in waste, fraud and abuse from the crop insurance program. And it is estimated that they have at least prevented the same.

Mr. Chairman, this is a good program that returns 22 to 1 on its expenditures.

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

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

Mr. BONILLA. Let me just first compliment the gentleman from Texas for his hard work on this issue. This school should erect a statue in his honor for all of the effort that he has put in this tirelessly for the last few weeks.

The gentleman is correct. This has been a good program in years past, but it was not an authorized program this time around. And we have tried to work with the gentleman to try to figure out a solution to this.

Mr. Chairman, I am telling the gentleman that we would be happy to accept the amendment. I know that it has been an ordeal to get the language just right so we could move forward with this issue. I want to let the gentleman know that we would be happy to continue to work with him on this.

Mr. CARTER. Thank you, Mr. Chairman. I thank the ranking member, also, for working with me on this.

□ 1600

Mr. Chairman, I yield 1 minute to the gentleman from Kansas (Mr. MORAN).

Mr. MORAN of Kansas. Mr. Chairman, thank you very much. I rise in support of this amendment. As I understand, it is a place holder for the opportunity for us to further discuss and refine the opportunity to continue funding of data mining.

I chair the subcommittee that has responsibility for crop insurance, and this to me is one of the most successful programs in weeding out and finding fraud and abuse. I encourage the conferees. I was glad to hear the gentleman from Texas, Mr. BONILLA's remarks, as we try to find an opportunity to make certain this program continues. As a member of the authorizing committee, I look forward to working with you to see that the necessary authorization occurs. It is an awfully important program and one that we will hold a hearing on in the future in hopes that we can expand this opportunity to other areas of the Department's operations. I appreciate the gentleman yielding.

Mr. CARTER. I thank the chairman for his support and also Mr. GOODLATTE, the chairman of the committee, has expressed his support of this program also. It is the future of looking at how we do government, and I am excited to be able to be going forward on this.

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

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. ENGEL

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. ENGEL:

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

SEC. ____. None of the funds made available in this Act may be used in contravention of section 301 of the Energy Policy Act of 1992 (42 U.S.C. 13211).

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from New York (Mr. ENGEL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

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

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

Mr. BONILLA. Mr. Chairman, we have worked on this language, and I have corrected some problems we had with it. And we are happy to accept the language if the gentleman will accept our support for this.

Mr. ENGEL. I certainly will, and I will submit my statement for the RECORD.

Let me say that what we are trying to do here is to move America off its addiction to foreign oil by requiring USDA to abide by the law and at least three-quarters of the fleets that they purchase will have to be fuel-flexible cars, and I am delighted that you will go along with this.

We rarely have an opportunity to meet the needs of our farmers while also directly meeting the needs of our national security. But we do today.

President Bush was right to say we are addicted to oil. But now we in Congress need to take action. We need bold action to end this addiction. We need ethanol—not as an additive but as a full fledged alternative.

And though I am loath to use this metaphor during the debate on the Agriculture bill, we have a chicken and the egg problem with ethanol. Should we put more ethanol on the market and hope people buy cars that can use it or have more cars on the market and hope people will turn to ethanol?

I believe we need to get more flexible fuel vehicle on the road. And, I believe we should use the purchasing power of the federal government to pursue this.

Now some may not like the federal government interfering in markets. To this I would respond, this is about national security and that is the federal government's responsibility. And with the war on terror, we must look at all options—not just putting our military overseas but what we can do right here at home.

Some might not like the federal government interfering with consumer's choices. To this I would respond that the U.S. government is the largest consumer of goods and services on the planet. And to meet our responsibility to protect the American people, we have to take this step toward weaning ourselves from foreign oil.

Furthermore, Congress has already spoken on this issue—however the Administration—both Democratic and Republicans Administrations—have failed to comply.

In 1992 the Congress passed the Energy Policy Act and in section 303 of that law, Congress set out targets for the fleet of federal motor vehicles to be alternative fuel vehicles. By 1999, 75 percent of vehicles purchased or leased were supposed to be Alternative Fuel. We aren't even close.

According the GSA's Federal Fleet Report for FY2005 only 26 percent of new vehicles acquired were AFV.

And only 15 percent of the whole existing federal fleet is AFV.

In 2005, the Department of Agriculture had 41,154 cars—and only 3,267 were E–85 capable. In fact, 85 percent of the Ag Department's fleet is still gasoline only. Of the 4,108 vehicles purchased by the Department of Agriculture in FY2005 77 percent were gasoline only.

The number of flex fuel cars on the road today is less than 8 million out of more than 130 million on the road today.

We must do better than that if we are going to get the gas stations to start providing E–85 as an alternative fuel.

Of the 175,000 "fuel stations;" nation wide, only about 700 have E85 available.

And though there are more than 150,000 flex fuel cars in New York there is not one station that sells E85 in New York.

Let's take this first step and use the federal government's purchasing power to make alternative fuels a reality.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. ENGEL).

The amendment was agreed to.

AMENDMENT NO. 8 OFFERED BY MR. HEFLEY

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 8 offered by Mr. HEFLEY:

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

SEC. ____. Appropriations made in this Act are hereby reduced in the amount of $178,120,000.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Colorado (Mr. HEFLEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

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

Mr. Chairman, I will take the admonition of Mr. BONILLA and Mr. OBEY that we are going to be here way into the night if everybody takes all their time, and so I will not do that. I want the chairman to know I have 8 pages of scintillating argument here; but since I do not think it is going to change your mind anyway, let me just say that this is the amendment that you are familiar with that would cut 1 percent of the discretionary funding in the bill. It amounts to $178 million, which represents one penny off every dollar.

Mr. Chairman, I rise again today to offer an amendment to cut the level of discretionary funding in this appropriations bill by 1 percent. This amount equals $178.12 million dollars which represents only one penny off of every dollar.

As most members are aware, I have offered a series of similar amendments to several appropriations bills. I think it is important to state the affect these amendments would have on the deficit if they would be accepted on all spending bills.

We have to draw a line somewhere. The budget we have for next year is simply too large. We can do something about the deficit right now.

By voting for my amendment you are stating that American tax payers should not have to pay higher taxes in the future because we couldn't control our spending today.

Some of the projects in this FY 07 Agriculture Appropriations bill include over $4 million for Shrimp aquiculture research in 7 states. The USDA even testified in 2005 that this project's objectives of developing a sustainable domestic shrimp farming industry in the United States were met and completed in 1987. If the USDA concluded that the project's objectives were met 18 years before, why has Congress continued to fund this program at this level?

We also fund over $6.4 million for wood utilization and we've paid nearly $86 million on this program since 1985, $2.5 million for cotton research in Texas designed for in part, to expand the demand for cotton research in West Texas, almost $2 million to research red imported fire ants in Mississippi, as well as $878,000 for catfish genome research in Alabama.

These are just a few examples of the funding included in these appropriations bills.

The 07 Agriculture appropriations bill still provides nearly $17.8 billion in official discretionary spending, which represents over a $1 billion increase from the previous year and almost $500 million over the President's request. The authorizing and appropriating committees successfully eliminated a considerable amount of mandatory spending with help from the Deficit Reduction Act, but appropriators still shifted another $650 million from mandatory to discretionary spending which distorts some of the numbers. Last year the discretionary funds in this bill were essentially flat funded, but mandatory spending rose exponentially. We seem to be playing hot potato with these funds by trading off every year.

Our budget should be no different from the taxpayers' budgets at home. When we have less money, we should spend less money. It really is that simple.

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

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

The CHAIRMAN. The gentleman from Texas is recognized for 5 minutes.

Mr. BONILLA. I will be very brief.

The gentleman is sincere in his effort in bringing this amendment forward year after year after year, and the majority of House opposes it year after year after year; and once again we oppose it today.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado (Mr. HEFLEY).

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

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

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

AMENDMENT OFFERED BY MR. LATHAM

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. LATHAM:

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

SEC. 7____. None of the funds appropriated or otherwise made available by this Act shall be used to pay salaries and expenses of personnel who implement or administer section 741 of this Act or section 508(e)(3) of the Federal Crop Insurance Act (7 U.S.C. 1508(e)(3)) or any regulation, bulletin, policy, or agency guidance issued pursuant to such section for the 2007 and the 2008 reinsurance years, except that funds are available to administer such section for policies for those producers who, before the date of the enactment of this Act, had in effect a crop year 2006 crop insurance policy from a company eligible for the opportunity to offer a premium reduction under such section for the 2006 reinsurance year.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Iowa (Mr. LATHAM) and a Member opposed each will control 5 minutes.

Mr. BONILLA. Mr. Chairman, I reserve a point of order on this amendment.

The CHAIRMAN. The point of order is reserved.

The Chair recognizes the gentleman from Iowa.

Mr. LATHAM. Mr. Chairman, this is an amendment that has to do with crop insurance. As we all know last year in the ag appropriations bill there was an amendment in that that prohibited funding to do audits of companies that offer the premium reduction program. And that language, which I will read, says: ''This amendment would provide time for an independent analysis of the program and the regulatory resources required by USDA to satisfy the statutory requirements. It would give the authorizing committees time to evaluate the premium discounting program and make proper adjustments in the law before it has expanded.''

Folks, here we are again. We have a prohibition extending another year in this bill as far as funding. And what this does is stop companies from offering a reduced premium on their crop insurance to farmers.

I understand that there are folks who do not like this program. There have been concerns raised about the way it has been implemented, about practices that some companies have maybe used in selling the product.

In the bill last year when we put the prohibition or the limitation of funding in, that was to give USDA and the authorizing committee time to evaluate it. We have written to USDA. They have responded that they cannot find any problems with the program, and that is their position. There were concerns earlier and those concerns have been met.

In the limitation last year, the authorizing committee was asked to make recommendations to change the program if there were problems. That has not happened.

Mr. Chairman, I am a former insurance agent. I used to sell crop insurance. There is no industry that I like or love any more than this industry. And so it is very difficult for me to look at this and be totally objective. But I honestly believe that this Congress has got to look at the benefit of the producers. I will not in any way, shape or form harm the crop insurance industry. That is the last thing that we can do here because this is a way of farmers managing their risk that they have on their farms, and we have got to make sure that they have those policies available for them to cover their losses.

Having said that, the authorizing committee has not given a recommendation. I think that we have to look at what the authorizing committee on the House side and the other body have to say on this. We will have an opportunity in conference to takes this issue on; and if I could engage the chairman, Mr. Chairman, I would offer to at this time withdraw this amendment if, in fact, I could get your commitment that we would, in fact, in a realistic basis address this issue to make sure that we do the right thing for our producers.

Mr. Chairman, I yield to the gentleman.

Mr. BONILLA. I thank the gentleman for yielding. The gentleman knows absolutely we will continue to

try to work with the gentleman. I know we have had some differences on this issue, but no one has worked harder on this issue in the last few weeks and months than the gentleman from Iowa.

I have said to the gentleman privately, and I will now say publicly, that the people in Iowa, not just in the gentleman's district, that the people in the State should canonize the gentleman, Mr. LATHAM, for his hard work on a long list of issues that he has worked on in this subcommittee for many years now.

There are some years as the gentleman knows where he consistently is more successful on a long list of issues that is about twice as long. I am the chairman of the subcommittee, and the gentleman from Iowa usually gets double of his requests in the bill. That is how hard he works, and that is how effective he is. So whether you win or lose on this issue in the end, I would say to the gentleman from Iowa that the people on both sides of this issue should realize that you doing everything possible and we certainly will continue to work with the gentleman from Iowa.

Mr. LATHAM. I thank the gentleman very much. It would be my hope and ambition at this point to bring all the parties together, to finally bring some type of resolution to it, to have a fair and honest discussion with no personal attacks, things like that, that unfortunately we have seen throughout some of this debate on the issue.

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

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

There was no objection.

AMENDMENT NO. 6 OFFERED BY MR. BLUMENAUER

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 6 Offered by Mr. BLUMENAUER:

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

SEC. 7____. None of the funds appropriated or otherwise made available by this Act may be used to to pay the salaries and expenses of personnel who make loans available under section 156 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272) to processors of domestically grown sugarcane at a rate in excess of 17 cents per pound for raw cane sugar or to processors of domestically grown sugar beets at a rate in excess of 21.6 cents per pound for refined beet sugar.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Oregon (Mr. BLUMENAUER) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Oregon.

Mr. BLUMENAUER. Mr. Chairman, I yield myself 90 second.

Mr. Chairman, the United States sugar program is one of the most archaic and misguided Federal policies that we have. It artificially raises the prices of sugar. It harms U.S. customers and consumers, and prevents developing nations from competing in the global market place.

One of the deep concerns I have is that people are circulating here with a straight face the assertion that this is a no-cost program. Nothing could be further from the truth. It drives up the price for American consumers each year, upwards of $2 billion a year. It undercuts industries that use sugar as a means of production like the confectionery industry. And it is part of an enormous environmental damage, like the everglades, where we are spending $7.5 billion in clean-up.

In the course of the debate this afternoon, we will have opportunities for people to focus on the need to eliminate this program. This amendment is a small step towards sanity, making a 6 percent reduction in the guaranteed price if it is adopted.

I strongly urge that my colleagues look at the facts surrounding this, look at what is going to be good for the consumer, for the environment, for the taxpayer, and taking a step toward a rational agriculture policy.

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

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

The CHAIRMAN. The gentleman from Virginia is recognized for 10 minutes.

Mr. GOODLATTE. Mr. Chairman, I rise in opposition to the Blumenauer amendment which calls for reductions of the loan rates established in the 2002 farm bill for both refined beet sugar and raw cane sugar.

Mr. Chairman, farmers have crafted their business plans based on the assurances of the 2002 farm bill. Farmers have invested time and money in that crop often with capital borrowed from the bank. It is unfair now to reduce the returns that farmers counted on when planning, financing, and planting that crop.

This debate concerning the sugar program is an important one. However, it is a debate that my committee will conduct at the appropriate time during the authorization of the new farm bill. As chairman of the House Agriculture Committee, I have already held farm bill field hearings this year and will be holding additional farm bill hearings this summer and fall.

During this process, and not when we are on the floor debating an appropriations bill, is the correct time for discussing and making possible changes to U.S. sugar policy.

Mr. Chairman, in my capacity as chairman of the House Agriculture Committee, it is my responsibility to look at all of agriculture and consider what is best for the United States and our farmers and ranchers. The policy that was put in place by the 2002 farm bill must remain intact. I stand by this commitment to farmers and ranchers and urge a ''no'' vote on the Blumenauer-Flake amendment.

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

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Mr. BLUMENAUER. Mr. Chairman, I yield 2 minutes to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Mr. Chairman, I am here to confess my reading incomprehension. I have listened to many of my conservative friends talk about the wonders of the free market, of the importance of letting the consumers make their best choices, of keeping government out of economic activity, of the virtues of free trade, but then I look at various agricultural programs like this one. Now, it violates every principle of free market economics known to man and two or three not yet discovered.

So I have been forced to conclude that in all of those great free market texts by Ludwig von Mises, Friedrich Hayek and all the others that there is a footnote that says, by the way, none of this applies to agriculture. Now, it may be written in high German, and that may be why I have not been able to discern it, but there is no greater contrast in America today than between the free enterprise rhetoric of so many conservatives and the statist, subsidized, inflationary, protectionist, anti-consumer agricultural policies, and this is one of them.

In particular, I have listened to people, and some of us have said let us protect workers and the environment in trade; let us not have unrestricted free trade; but let us have trade that respects worker rights and environmental rights. And we have been excoriated for our lack of concern for poor countries.

There is no greater obstacle, as it is now clear in the Doha round, to the completion of a comprehensive trade policy than the American agricultural policy, with one exception, European agricultural policy, which is much worse and just as phony.

Sugar is an example. This program is an interference with the legitimate efforts at economic self-help in many foreign nations.

So I appreciate the leadership of the gentleman from Arizona and the gentleman from Oregon. Here is a chance for some of my free-enterprise-professing friends to get honest with themselves, and now maybe we will see some born-again free enterprisers in the agricultural field.

Mr. GOODLATTE. Mr. Chairman, I am pleased to yield 3 minutes to the gentleman from Minnesota (Mr. PETERSON), ranking member of the Agriculture Committee.

Mr. PETERSON of Minnesota. Mr. Chairman, I thank the gentleman for yielding.

Just a couple of comments here. Whatever you want to say about this, this program does not cost the taxpayers any money. There has been no cost for the last number of years, and I guess you could make the argument

that it maybe has some impact on the prices consumers pay, but I would just like to read to the gentleman on the other side of this what the consumers think about this.

We just did a poll on this, and they were asked, how concerned are you about sugar prices? Thirty-three percent are concerned; 64 percent are not concerned.

They were asked: Still thinking of the sugar price in 2005, the average price is 43 cents. The average price in 1990 was 43 cents. In 1980, it was 43 cents. So what do you think about this? Twenty-seven percent said it was expensive; 69 percent said it is not expensive.

How important do you think it is for the United States to be able to produce food domestically instead of with foreigners? The previous gentleman was talking about the Europeans. Right now, if we got rid of the sugar program, we would end up importing sugar from Europe which has a price 50 percent higher than the price in the United States. So, when asked about that, the consumers, these are consumers, said that 93 percent think it is important we produce it here in the United States; 6 percent think it is not important.

So you vote on the line with the American consumers, and they are not concerned about this. I tell you who is concerned about this is the people that use sugar in their candy bars and other kinds of things, and I will guarantee you we can cut the price of sugar in half or to a quarter what it is now, and I will guarantee you the price of a Hershey bar will not change in the grocery store. We have seen that over the years.

So this is a good program. We are bringing in 1.5 million tons of sugar that we do not need in this country. Mr. POMEROY's and my farmers, in North Dakota and Minnesota, could produce all that sugar right here in the United States, but we bring it in, and we help 41 countries, most of them poor countries.

This is a program that has worked. It has been consistent. It makes sense. It does not cost the taxpayers any money. The consumers in the United States support it, and we should defeat this amendment and continue this program going and have any discussion that we are going to have in the farm bill next year.

Mr. BLUMENAUER. Mr. Chairman, I yield 2 minutes to the gentleman from Arizona (Mr. FLAKE), the cosponsor of this amendment.

Mr. FLAKE. Mr. Chairman, I thank the gentleman for yielding and for his leadership on this issue.

I would like to respond to Mr. FRANK of Massachusetts about whether or not Republicans are free market oriented or not. I would like to respond, but I cannot. I honestly have no response to that. I honestly cannot understand how we, as Republicans, can pretend to be in favor of free market economics and still support this kind of program. I do not know how long we can do it and still say that we are free market oriented.

I think it was said best by former Senator Phil Gramm a while ago when he was asked about farm policy and these types of subsidies. He said our farm policy would make a Russian commissar puke. I do not know how to improve on that. You just look at these programs and say, how can we do this year after year after year?

It is said that this does not cost anything, that this is a no-cost program. Well, the sugar program and its price supports, its import quotas and production allotments is not no-cost.

According to the Organization of Economic Cooperation and Development, monetary transfers to producers from consumers and taxpayers as a result of government policy amounted to over half their gross receipts in 2002–2004. Half of the gross receipts from these sugar producers came from either consumers or taxpayers because of government policy regulating the price.

In the year 2000, a GAO study estimated the cost to consumers in 1998 was $1.9 billion. No cost? It is nearly $2 billion of cost.

It is a benefit to producers of about $1 billion and a net loss to the U.S. economy of $900 million. The sugar program is a classic example of the principle of concentrated benefits and diffuse costs.

Nobody is going come here and lobby to Congress because a candy bar costs a cent more or two cents or five cents more, but sugar producers are sure going to lobby when they reap huge benefits.

Mr. GOODLATTE. Mr. Chairman, I yield 1 minute to the gentleman from Nebraska (Mr. OSBORNE).

Mr. OSBORNE. Mr. Chairman, this is our annual debate, and this is an appropriations bill, not a farm bill. I think this discussion should occur in the course of the farm bill. We have many sugar producers in Nebraska who bought a sugar processing plant based on the 2002 farm bill. So we think that it is important it be considered at the right time.

Sugar prices in the United States are low by world standards. Grocery shoppers in other developed countries pay 30 percent more for sugar than the U.S.

America already has one of the most open sugar markets in the world, importing sugar from 41 countries whether we need that sugar or not. As the world's second largest sugar importer, the United States is the only major sugar-producing country that is a net importer.

Lastly, I would like to mention this: Ten African Nations, and many others around the world, receive the U.S. premium price, and so the U.S. sugar program benefits many developing countries. This certainly is something that we need to consider.

So I urge defeat of the amendment.

Mr. BLUMENAUER. Mr. Speaker, it is my pleasure to yield 1 minute to the gentleman from Florida (Mr. SHAW), a distinguished senior member of the Ways and Means Committee.

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

Mr. SHAW. Mr. Chairman, I thank the gentleman for yielding at this time, and I compliment him for this very good, well-thought-out amendment.

You are hearing a lot of statistics on the floor here, but let me throw some out there that are absolutely correct, and they are backed up by the references that I will make.

The sugar program costs the United States consumers up to $1.9 billion every year, and a recent Department of Commerce report noted that the domestic price of United States wholesale refined sugar over the last 25 years has been two to three times the world price, two to three times the world price.

According to the Bureau of Labor Statistics and the Department of Commerce, American taxpayers are paying over $200,000 per job for every year, every year, to subsidize low-wage, low-skilled growing and harvesting jobs.

This is absolutely nuts. The Department of Commerce estimates that between 1997 and the year 2002, 10,000 confectionary manufacturing jobs were lost due to the high price of sugar right here in the good ole U.S.A.

A responsible sugar policy would result in a net increase in employment in the higher paying sugar manufacturing and confectionary industries and in increased savings to the American taxpayer.

I urge my colleagues to support a responsible sugar policy that benefits U.S. food manufacturers, increases U.S. exports, helps consumers save money at the grocery store, decreases government spending, and creates more jobs for U.S. workers. That's why I'm voting for the Blumenauer-Flake Amendment to H.R. 5384.

Mr. GOODLATTE. Mr. Chairman, may I ask how much time is remaining?

The CHAIRMAN. The gentleman from Virginia (Mr. GOODLATTE) has 4½ minutes remaining. The gentleman from Oregon (Mr. BLUMENAUER) has 3½ minutes remaining.

Mr. GOODLATTE. Mr. Chairman, it is my pleasure to yield 1 minute to the gentleman from North Dakota (Mr. POMEROY).

Mr. POMEROY. Mr. Chairman, I very much thank my chairman for yielding.

We are at a time when we have the greatest trade imbalance that we have ever had in the history of our country, and the effect of this amendment would be to significantly encroach upon a sugar program that has kept domestic sugar production part of the agricultural production in this country.

It is very much on the bubble. Throw open the doors, there are countries around the world heavily subsidizing their domestic product, providing a global dump price well below fair cost to production, meaning the end of U.S.

production, reliance entirely upon imported sugar.

Now, that has a consequence that goes well beyond trade imbalance because, at that point in time, the pricing of our groceries, turning in part upon the sugar ingredient found in so many of our processed foods, is like the oil we import and burn, out of our control. Volatile pricing of global sugar, volatile pricing of groceries.

What we have with the sugar program is fair pricing, a stable food market, a program that needs to continue.

Mr. BLUMENAUER. Mr. Chairman, I yield myself 30 seconds.

Two very brief points. One is, because of the nature of this lavish subsidy, it has concentrated activity so that 1 percent of the sugar producers get 42 percent of the benefit. A massive amount goes to just two companies in Florida alone.

Second, it is driving jobs overseas. We have three-quarters of 1 million workers who are in sugar-using industries that are at a competitive disadvantage and are moving out of the United States.

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

Mr. GOODLATTE. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from Texas (Mr. HINOJOSA).

Mr. HINOJOSA. Mr. Chairman, I rise in opposition to this Blumenauer amendment.

Nearly every year an anti-sugar farmer amendment is offered to the agriculture appropriations bill, and almost every year, the same misinformation is recklessly spread about sugar farmers. This is an appropriations bill, not a farm bill.

All U.S. commodities covered under the 2002 farm bill receive loans from the Federal Government. Sugar is not receiving special treatment.

Sugar prices for farmers have declined since 1990. Over that same period, the price of candy, cookies, cake, and ice cream have steadily risen by as much as 50 percent. Food companies, not the sugar farmers, are making the big profits.

America already has one of the most open sugar markets in the world, importing sugar from 41 countries whether we need the sugar or not.

In light of this information and in the spirit of fairness, I ask my House colleagues to oppose this amendment.

The only difference is that sugar farmers rarely default on their loans. Sugar farmers pay loans back with interest.

Loan levels for sugar farmers have remained unchanged for 20 years, even though the cost of doing business has steadily risen—inflation since 1985 has been 81 percent.

Sugar prices in the United States are low by world standards. Grocery shoppers in other developed countries pay 30 percent more for sugar than U.S. consumers. and, U.S. retail prices remained steady, at 43 cents per pound, in 2005, despite the devastating hurricanes that ravaged cane country in Louisiana and Florida. Remarkably, 43 cents was the average U.S. retail sugar price as long ago as in 1990, and even in 1980.

Sugar prices for farmers have declined since 1990. Over that same period the price of candy, cookies, cake and ice cream have steadily risen, by as much as 50 percent. Food companies, not sugar farmers, are making the big profits.

America already has one of the most open sugar markets in the world, importing sugar from 41 countries whether we need the sugar or not. As the world's second largest sugar importer, we're the only major sugar-producing country that is a net importer.

146,000 Americans are employed by sugar and depend on strong sugar policy. A vote for the Blumenauer Amendment to H.R. 5384 is a vote against 146,000 hard-working farmers and workers in 19 States.

In light of this information and in the spirit of fairness, I ask my House colleagues to oppose this amendment.

Mr. BLUMENAUER. Mr. Chairman, I yield 1 minute again to the gentleman from Arizona (Mr. FLAKE), my colleague and the cosponsor of this amendment.

Mr. FLAKE. Mr. Chairman, I thank the gentleman for yielding. Let me just talk about some of the groups outside that are supporting this amendment.

This is the Consumer Federation of America: ''American consumers pay almost $1 billion per year for sugar and products containing sugar than they would if the U.S. market for sugar were fully competitive.''

The National Taxpayers Union: ''Sugar interests like to make the claim that the Federal sugar program is run at no cost to the taxpayer, yet they conveniently ignore the cost of staffing and operating the bureaucracy necessary to run this monstrous program.''

Also, we talked about the cost to the consumer that is borne, about $1 billion dollars a year.

Consumers for World Trade: ''The U.S. sugar program is an outdated entitlement program that props up uncompetitive farmers at the expense of American consumers.''

The sugar program is making it increasingly difficult to have real free trade agreements because it is impacting on the Doha round, and any other round we have on trade negotiations it makes it more difficult because of trade distorting practices like our sugar program.

□ 1630

The Competitive Enterprise Institute said: ''How can a domestic program that raises a family's cost, harms the environment, and hurts poor farmers in developing countries be justified?''

Mr. GOODLATTE. Mr. Chairman, I yield 1 minute to the gentleman from Arkansas (Mr. BERRY).

Mr. BERRY. Mr. Chairman, I thank the gentleman from Virginia.

Mr. Chairman, the only justification for a farm program is to ensure adequate production and processing capacity for our own security. Now, it has been talked about here today about how terrible the sugar program is. The fact is every country does this. To unilaterally disarm our producers makes absolutely no sense in the world trade scheme, and we simply cannot be allowed to be led down this path.

At the point when the rest of the world is willing to give up their subsidies and play on a level playing field, our producers can be just as successful as they are, if not more so. But until that time comes, and it is not likely to show up in my lifetime, we have to ensure adequate production and processing for the American people.

Mr. GOODLATTE. Mr. Chairman, who has the right to close? I just have one speaker remaining.

The CHAIRMAN. The sponsor of the amendment, the gentleman from Oregon, has the right to close.

Mr. GOODLATTE. Mr. Chairman, I will go ahead and close.

This has been a very interesting debate. It is just the wrong place for this debate. This is important agricultural policy that should not be determined based upon a 20-minute debate in the middle of an appropriation bill that funds agricultural programs. This is a debate that needs to wait until the 2007 farm bill.

I hear the arguments. I am very much interested in good policy for agriculture, including addressing some of the concerns that have been raised about the sugar policy. This isn't the place to do it.

So I urge my colleagues to oppose this amendment, and I look forward to addressing this in the writing of a new farm bill.

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

Mr. BLUMENAUER. Mr. Chairman, I want to inquire as to the time remaining. We have 2 minutes left?

The CHAIRMAN. The gentleman from Oregon has 2 minutes remaining.

Mr. BLUMENAUER. I yield 1 minute to the gentleman from Connecticut (Mr. SHAYS).

Mr. SHAYS. I thank the gentleman for yielding, and I hope I don't use the whole minute, but just to say that as a Republican who believes in free markets, it is one of the big contradictions for me to constantly see some of my conservative colleagues argue for a Depression program, a program from the Depression era.

This is a program that costs a billion dollars, it distorts the marketplace, and the reason we are debating it here is because we rarely get an opportunity to debate this kind of issue. It needs to be gone.

Mr. BLUMENAUER. Mr. Chairman, one of the problems here is this is not, with all due respect, some sort of major massive pruning. We are talking about a 6 percent reduction on how the American consumer and taxpayer is on the hook. That is not unilaterally disarming. That is not a massive overhaul. We need this modest step.

I look forward to working with the chairman of the Ag Committee, although I hope he is not the chairman of the Ag Committee next session, but in

whatever capacity I look forward to working with him to have that honest debate. The last time it went through the legislative process, the sugar provisions got worse, not better. It was more egregious. There were more things that were added to it to make it work against the consumer and the taxpayer.

Only in Washington, D.C. would this be regarded as no-cost. That survey that has been talked about should have asked consumers: Do they like paying two to three times the world price of sugar? Do they like driving overseas thousands of confectionery jobs, making our trade imbalance worse? Do they like working against the ecological health of the everglades and then spending $7.5 billion of taxpayer money to start cleaning up some of the toxic residue of the sugar industry? And do they want to discriminate against poor countries like Ethiopia, Mozambique, and Mali that could benefit from freer trade in sugar?

I urge support of the Blumenauer-Flake amendment.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Oregon (Mr. BLUMENAUER).

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

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

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

AMENDMENT OFFERED BY MS. SLAUGHTER

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. SLAUGHTER:

At the end of the bill, insert after the last section (preceding the short title) the following section:

SEC. 753. Of the total amount made available in title VI in the first undesignated paragraph under the heading ''FOOD AND DRUG ADMINISTRATION—SALARIES AND EXPENSES'', $1,000,000 is available to the Center for Veterinary Medicine for application review activities to assure the safety of animal drugs with respect to antimicrobial resistance, pursuant to section 512 of the Federal Food, Drug and Cosmetic Act, in addition to all other allocations for such purpose made from such total amount.

The CHAIRMAN. Pursuant to the order of the House of today, the gentlewoman from New York (Ms. SLAUGHTER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New York.

Ms. SLAUGHTER. Mr. Chairman, I shall be very brief.

As a microbiologist as well as a Member of Congress, I have been very concerned for some time about the overuse of antibiotics and the rise of drug-resistant bacteria. So what we are asking today is just a sum of money, $1 million, to be set aside from the FDA budget to begin to study the overuse of antibiotics in animals and using animals basically as incubators to breed the drug-resistant bacteria.

I think it is a matter of top concern. It has been labeled that by the CDC and the World Health Organization, which says it has become a crisis; so I am pleased to put this amendment forward today.

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

Ms. SLAUGHTER. I yield to the gentleman from Texas.

MR. BONILLA. Mr. Chairman, we have worked with the gentlewoman on this amendment, and I am happy to accept the amendment and would move it to a vote if the gentlewoman would agree.

Ms. SLAUGHTER. I appreciate that very much, and thank you, sir.

Mr. Chairman, I rise today to address an issue that concerns me not just as a microbiologist, but as a mother and a grandmother as well.

Americans have a right to trust the safety of the food they eat and feed their families.

Today, that safety has been put in jeopardy by a new threat, one that is the unintended result of our own advancements.

The threat comes from antibiotic resistant bacteria.

We take antibiotics for granted in this country. Just over 60 years ago, a pneumonia diagnosis was a death sentence. A case of bacterial meningitis would have been hopeless.

With the introduction of antibiotics, however, we have been able to treat these, and many other, once fatal diseases.

Unfortunately, the Centers for Disease Control and Prevention have reported that the most significant human infections are becoming resistant to the antibiotics commonly used to treat them.

In fact, antibiotic resistance has been labeled a ''top concern'' by the CDC, and the World Health Organization has called the situation a crisis.

Resistant bacterial infections increase health care costs by 4 to 5 billion dollars each year.

Two million Americans acquire a bacterial infection annually during stays at hospitals. Seventy percent of the infections they contract are resistant to the drugs prescribed for treatment.

Salmonella infections, the cause of food poisoning, 1.4 million illnesses, and 500 deaths in America every year are increasingly resistant to the numerous drugs used against them.

And thirty-eight patients in American hospitals die every day as a result of diseases contracted during their stay that no longer respond to antibiotics.

While the overuse and misuse of antibiotics in humans is a factor contributing to this problem, it is not its only cause.

There are currently seven classes of antibiotics used in both animals and humans, including basic drugs like Penicillin.

In fact, 70 percent of all U.S. antibiotics are used by meat producers on their livestock for nontherapeutic purposes.

Unwittingly, we are permitting animals to serve as incubators for resistant bacteria.

And as a result, a parent on a trip to the grocery store could end up bringing home meat contaminated with diseases that will put their family's health at risk and prove difficult to treat.

In 2003, a National Academy of Sciences report stated that if we hope to make headway against this danger, we must reduce overuse of antibiotics not just in humans, but in animals and agriculture as well.

This huge and tremendously important task has fallen largely on the FDA's Center for Veterinary Medicine.

And yet, despite its position on the front lines of this fight, the CVM is ill-equipped to carry out its duties. It needs additional resources to review the drugs currently approved for animal use.

The amendment I am offering here today will give CVM the much needed boost necessary to do its job.

It will make available 1 million dollars from within its budget to make sure we have the drugs we need to treat bacterial infections.

With all of the new challenges modern medicine faces, we cannot allow a resurgence of ailments no longer seen as a source of concern.

Our failure to address this problem will result in a less secure, and less healthy, future for our children and grandchildren.

I urge all of my colleagues to support this common-sense amendment.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from New York (Ms. SLAUGHTER).

The amendment was agreed to.

AMENDMENT NO. 13 OFFERED BY MR. GUTKNECHT

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 13 offered by Mr. GUTKNECHT:

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

SEC. 7___. (a) LIMITATION ON USE OF FUNDS.—None of the funds appropriated or otherwise made available by this Act shall be used to implement the limitation in section 720 of this Act.

(b) CORRESPONDING REDUCTION IN FUNDS.—The amounts otherwise provided by this Act are revised by reducing the amount made available for ''AGRICULTURAL RESEARCH SERVICE—BUILDINGS AND FACILITIES'' and the amount made available for ''COOPERATIVE STATE RESEARCH, EDUCATION, AND EXTENSION SERVICE—RESEARCH AND EDUCATION ACTIVITIES'' by $65,319,000 and $16,681,000, respectively.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Minnesota (Mr. GUTKNECHT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. GUTKNECHT. Mr. Chairman, it is a very simple amendment, but I think it is very important and one that an awful lot of groups are paying attention to.

There is a program we have had in the farm bill for a very long time, the Wetland Reserve Program, that has become extremely important on a variety of fronts. It is important to wildlife, it is important to our water quality, it is important to flood control, and I think it is important to most Americans who care about the environment.

It is especially important to those of us in Minnesota. We have 10,000 lakes. We take water very seriously. And the Wetland Reserve Program is something that we want to do everything we can to preserve and keep at its current levels.

Currently, we authorize in the farm bill about 250,000 acres for the Wetland Reserve Program. And I understand how difficult it has been for the subcommittee and the chairman and the staff to squeeze all of the requests into the amount of money that they have been allocated in this appropriation bill, so I have a great deal of empathy for the problems that they have. But I wanted to come to the floor today to offer an amendment to restore to 250,000 acres the overall authorization for the Wetland Reserve Program.

Currently, under this bill that authorization drops to about 144,000 acres. I understand that the committee had to find $82 million. And by passing this amendment we create an $82 million hole in their bill, and I am empathetic to that. So what we have done, working with the Department, we take $65 million from the ARS Facilities area and $16.5 million from the CSREES Research and Education Activities fund.

No one likes to take money from those funds, but as we looked at all the potentials for offsets, those were the best we could find. So, Members, I think this is an important amendment. I think it is one that will be watched by the Ducks Unlimited, the Pheasants Forever, lots of the wildlife groups and sportsmen groups, and it is important as well to the folks who are really concerned about preserving our wetlands and improving our environment.

So this is a very important amendment, and I hope my colleagues will join me in supporting the Gutknecht amendment.

MR. BONILLA. Mr. Chairman, I rise in opposition to the amendment and claim the time in opposition.

The CHAIRMAN. The gentleman from Texas is recognized for 5 minutes.

Mr. BONILLA. Mr. Chairman, I strongly oppose the gentleman's amendment, and I know the gentleman has worked hard to try to perfect the language in this amendment; but as we see it, very clearly the gentleman's amendment scores at zero. So it would, in essence, not have the effect the gentleman is hoping to have on the WRP program, but it will cost $82 million in cuts.

This is for a program that the Inspector General of the Department of Agriculture cited for $159 million in overpayments over 5 years. So I am glad to see that mismanagement does not bother the gentleman from Minnesota, but it certainly bothers me and other Members of this body.

Again, there is a technicality here that we have a problem with, as we have had some professional staff review this language over and over again. So I would ask the gentleman, since his amendment would not accomplish what he is trying to accomplish, if he would withdraw the amendment and perhaps seek a different remedy.

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

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

Mr. GUTKNECHT. Mr. Chairman, I would be more than happy to work with the chairman on this. We worked with the professionals who draft these amendments. We told them what we wanted. We were willing to find offsets. We worked with the Department for those offsets. We understand those offsets do cause some heartburn for the Department, but it is my understanding they can work with those offsets.

I would appreciate it if we could at least adopt this amendment, and we will work with you through the conference committee process to perfect that language, if that is necessary. I hope that this body wants to send a clear message that the Wetlands Reserve Program is a high-priority program. And I would work with you on that, but I would like to have this amendment adopted, even if it is not perfect in your eyes.

MR. BONILLA. Reclaiming my time, Mr. Chairman, it is not a matter of my eyes; it is a matter of the professionals that have scrubbed this language; and again, the gentleman would not be accomplishing what he is hoping to accomplish.

I might say as an aside, too, there is an issue related to this. We understand that there may have been some unethical and perhaps even illegal activity by the Department involved directly with this issue, in terms of attempting to lobby Congress on it. And I want to say for the record that we are not done with this issue after we vote on this amendment.

Mr. THOMPSON of Mississippi. Mr. Chairman, I rise in favor of the amendment offered by my colleague from Minnesota.

Whether it is breeding grounds in the north or wintering grounds in the south, the Wetland Reserve Program—WRP—is worthy of strong funding. Besides wildlife habitat restoration, WRP has an impressive record of providing flood protection, improving water quality and conserving water quantity.

Farmer interest in these programs greatly exceeds the availability of funds. For example, in 2005 in my district, there were 240 farmers with unfunded applications totaling 34,000 acres and $49 million. These lands are marginal, high risk lands that are vulnerable both to floods and droughts because of the high content of hydric soils. These marginal lands detract from a farmer's cash flow and tend to experience repeated losses requiring disaster recovery assistance. Furthermore, it has been shown that WRP can reduce expenses in Federal crop insurance and other farm programs.

WRP provides a lump sum easement payment that assists financially distressed farmers. The easement payment may be used to pay off current debts or to meet current operating fund needs. Additionally, WRP may provide farmers with both a temporary alternative source of income through the wetlands restoration contract and a permanent source of income from the recreational and lease hunting income generated by the restored wetland wildlife habitat. The public benefits from both the reduced demand placed on disaster assistance funds from lands that previously experienced repeated losses and from significant long-term conservation benefits obtained from the protection of wildlife habitat, improvement of water quality, increase of flood storage and reduction of soil erosion.

As the ranking member of the Homeland Security Committee, I have seen avian influenza become increasingly more important. Although there has not been a case of a human contracting the disease from a wild bird anywhere in the world, it is feasible. The more we can disperse wild birds and improve their overall health, the less risk we will have, especially in an area that my colleague from Minnesota and I represent, the Mississippi Flyway.

Let's not continue with empty rhetoric of supporting the 2002 farm bill. In 2002 we passed a farm bill consisting of an annual 250,000 acres of land to be enrolled in the WRP. If we are going to say that we support the 2002 farm bill, then we should support this amendment because it does just that and I strongly encourage its adoption.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota (Mr. GUTKNECHT).

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

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

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

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

Mr. Chairman, I wonder if my distinguished ranking member, Ms. DELAURO, might engage in a colloquy with me about what remains on the bill. We are a little puzzled, and I include my side on this.

If Members are serious about offering amendments, I wonder where they are, on my side as well as on the minority's side. If we can't get Members here, perhaps we should seek a remedy to move through this bill and finish it.

Ms. DELAURO. Mr. Chairman, will the gentleman yield?

Mr. BONILLA. I yield to the gentlewoman from Connecticut.

Ms. DELAURO. Mr. Chairman, I think the gentleman makes a good point. I know we have called those on our side to come down, and I do not know the disposition on your side. It looks to me like we have on our side three amendments, and I was just trying to tally up on your side. There are about five or six; is that correct?

MR. BONILLA. Reclaiming my time, Mr. Chairman, I know the gentlewoman would agree on her side that she is not a babysitter, nor am I. If I had an amendment to offer, I would be in a three-point stance ready to go on something that was of great importance to my constituents.

So I would throw out for thought that perhaps after another 5 minutes passes, if nobody is here, we might look for a unanimous consent to shut it down and move to final passage.

Ms. DELAURO. That is something I would very much like to consider, Mr. Chairman. So let us wait the 5 minutes and see what we have.

MR. BONILLA. We will wait 5 minutes, and if we don't see anyone, then perhaps we can work on a UC, again with a bipartisan shutdown of the bill and move forward.

□ 1645

SEQUENTIAL VOTES POSTPONED IN THE COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

An amendment by Mr. WEINER of New York.

Amendment No. 17 by Mr. KENNEDY of Minnesota.

Amendment No. 4 by Mr. PAUL of Texas.

Amendment No. 12 by Mr. CHABOT of Ohio.

Amendment No. 8 by Mr. HEFLEY of Colorado.

Amendment No. 6 by Mr. BLUMENAUER of Oregon.

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MR. WEINER

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. WEINER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 234, noes 184, not voting 14, as follows:

[Roll No. 182]

AYES—234

Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Bartlett (MD)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Boehlert
Bono
Boswell
Boucher
Brady (PA)
Brown (OH)
Brown-Waite, Ginny
Burton (IN)
Camp (MI)
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Chandler
Chocola
Clay
Cleaver
Clyburn
Conyers
Costa
Costello
Crowley
Cubin
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Dicks
Dingell
Doggett
Doyle
Ehlers
Emanuel
Engel
Eshoo
Etheridge
Fattah
Ferguson
Filner
Fitzpatrick (PA)
Fossella
Frank (MA)
Frelinghuysen
Gerlach
Gilchrest
Gillmor
Gonzalez
Gordon
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutknecht
Harman
Harris
Hastings (FL)
Herseth
Higgins
Hinchey
Hinojosa
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Inglis (SC)
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kildee
Kilpatrick (MI)
Kind
King (NY)
Kirk
Kucinich
Langevin
Lantos
Larsen (WA)
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McDermott
McGovern
McHugh
McIntyre
McKinney
McNulty
Meehan
Meeks (NY)
Melancon
Michaud
Millender-McDonald
Miller (MI)
Miller (NC)
Miller, George
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Pallone
Pascrell
Pelosi
Peterson (MN)
Pickering
Platts
Poe
Pomeroy
Porter
Price (NC)
Pryce (OH)
Ramstad
Rangel
Reyes
Rogers (MI)
Rohrabacher
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Serrano
Shays
Sherman
Simmons
Slaughter
Smith (NJ)
Smith (WA)
Solis
Souder
Spratt
Stark
Stearns
Strickland
Stupak
Sweeney
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Towns
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walsh
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (PA)
Weller
Wexler
Wilson (NM)
Woolsey
Wu
Wynn

NOES—184

Abercrombie
Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Barrow
Barton (TX)
Bass
Beauprez
Bishop (UT)
Blackburn
Blunt
Boehner
Bonilla
Bonner
Boozman
Boren
Boustany
Boyd
Bradley (NH)
Brady (TX)
Brown (SC)
Burgess
Butterfield
Buyer
Calvert
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Cooper
Cramer
Crenshaw
Culberson
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Edwards
Emerson
English (PA)
Everett
Farr
Flake
Foley
Forbes
Ford
Fortenberry
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gingrey
Goode
Goodlatte
Granger
Graves
Hall
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hostettler
Hulshof
Hyde
Istook
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kennedy (MN)
King (IA)
Kingston
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCrery
McHenry
McKeon
McMorris
Mica
Miller (FL)
Miller, Gary
Mollohan
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Otter
Pastor
Paul
Pearce
Pence
Peterson (PA)
Petri
Pitts
Pombo
Price (GA)
Putnam
Radanovich
Rahall
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Schmidt
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simpson
Skelton
Smith (TX)
Sodrel
Sullivan
Tancredo
Tanner
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Turner
Walden (OR)
Wamp
Weldon (FL)
Westmoreland
Whitfield
Wicker
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—14

Brown, Corrine
Davis (FL)
Evans
Feeney
Gibbons
Gohmert
Gutierrez
Hunter
Issa
Kennedy (RI)
Larson (CT)
Meek (FL)
Payne
Snyder

□ 1717

Messrs. WALDEN of Oregon, BARTON of Texas, BARROW, BASS, SAM JOHNSON of Texas, WILSON of South Carolina, TURNER, REGULA, KUHL of New York and NEY changed their vote from ''aye'' to ''no.''

Messrs. HINCHEY, ROGERS of Michigan, MURTHA, HOEKSTRA, PETERSON of Minnesota, CHOCOLA, RUSH, KIRK, BERRY, BOSWELL, WELDON of Pennsylvania and SALAZAR changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 17 OFFERED BY MR. KENNEDY OF MINNESOTA

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Minnesota (Mr. KENNEDY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 345, noes 76, not voting 11, as follows:

[Roll No. 183]

AYES—345

Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Barrow
Bartlett (MD)
Barton (TX)
Bass

Bean
Beauprez
Becerra
Berkley
Berman
Berry
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blumenauer
Boehlert
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Chabot
Chandler
Chocola
Clyburn
Coble
Cole (OK)
Conyers
Costa
Costello
Cramer
Crenshaw
Cubin
Cuellar
Davis (AL)
Davis (CA)
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Duncan
Ehlers
Engel
English (PA)
Etheridge
Everett
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Forbes
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Graves
Green (WI)
Green, Al
Green, Gene
Gutierrez
Gutknecht
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Herseth
Hinchey
Hinojosa
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Inglis (SC)
Inslee
Israel
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kennedy (MN)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kirk
Kline
Kucinich
Kuhl (NY)
Langevin
Lantos
Larsen (WA)
Latham
LaTourette
Leach
Lee
Levin
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Murphy
Musgrave
Nadler
Napolitano
Neal (MA)
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Rahall
Ramstad
Rangel
Regula
Rehberg
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Skelton
Smith (NJ)
Smith (WA)
Sodrel
Solis
Souder
Spratt
Stark
Stearns
Strickland
Stupak
Sullivan
Tancredo
Tanner
Taylor (MS)
Terry
Thompson (CA)
Thompson (MS)
Tiahrt
Tiberi
Tierney
Towns
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Young (FL)

NOES—76

Abercrombie
Barrett (SC)
Biggert
Blackburn
Blunt
Boehner
Bonilla
Boyd
Capps
Carter
Castle
Clay
Cleaver
Conaway
Cooper
Crowley
Culberson
Cummings
Davis (IL)
Davis (TN)
Delahunt
DeLay
Dreier
Edwards
Emanuel
Emerson
Eshoo
Farr
Flake
Foley
Gibbons
Granger
Grijalva
Hall
Hensarling
Higgins
Hobson
Hulshof
Hyde
Jackson (IL)
Johnson, Sam
Kelly
Kingston
Knollenberg
Kolbe
LaHood
Lewis (CA)
Marchant
McDermott
McMorris
Miller, George
Moran (VA)
Murtha
Myrick
Neugebauer
Nunes
Otter
Radanovich
Reichert
Rush
Ryun (KS)
Schmidt
Shaw
Simpson
Slaughter
Smith (TX)
Sweeney
Tauscher
Taylor (NC)
Thomas
Thornberry
Turner
Weldon (FL)
Wicker
Wynn
Young (AK)

NOT VOTING—11

Brown, Corrine
Davis (FL)
Evans
Hunter
Issa
Kennedy (RI)
Larson (CT)
Meek (FL)
Payne
Pelosi
Snyder

□ 1726

Mr. GEORGE MILLER of California changed his vote from ''aye'' to ''no.''

Mr. CAPUANO changed his vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. GIBBONS. Mr. Chairman, I rise today to explain how I would have voted on May 23, 2006 during rollcall votes Nos. 179, 180, 181, 182, and 183 during the second session of the 109th Congress.

Rollcall vote No. 179 was on ordering the previous question.

Rollcall vote No. 180 was on passage of H. Res. 830, providing for consideration of H.R. 5384, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2007, and for other purposes.

Rollcall vote No. 181 was on the motion to suspend the rules and pass H.R. 4681, the Palestinian Anti-Terrorism Act of 2006.

Rollcall vote No. 182 was on agreeing to the Weiner amendment to H.R. 5384.

Rollcall vote No. 183 was on agreeing to the Kennedy amendment to H.R. 5384.

I respectfully request that it be entered into the CONGRESSIONAL RECORD that if present, I would have voted ''yes'' on all of these rollcall votes.

Thank you for your time and careful consideration of this important matter.

AMENDMENT OFFERED BY MR. PAUL

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. PAUL) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 34, noes 389, not voting 9, as follows:

[Roll No. 184]

AYES—34

Abercrombie
Barrett (SC)
Bartlett (MD)
Burton (IN)
Duncan
Flake
Franks (AZ)
Gohmert
Goode
Hayworth
Hefley
Hostettler
Istook
Johnson, Sam
McHenry
McKinney
McMorris
Miller (FL)
Paul
Pearce
Petri
Poe
Price (GA)
Renzi
Royce
Sanders
Sensenbrenner
Shadegg
Sullivan
Tancredo
Tiberi
Udall (NM)
Wilson (NM)
Young (AK)

NOES—389

Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Barrow
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown-Waite, Ginny
Burgess
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gonzalez
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hyde
Inglis (SC)
Inslee
Israel
Jackson (IL)

Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Serrano
Sessions
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Sodrel
Solis
Souder
Spratt
Stark
Stearns
Strickland
Stupak
Sweeney
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tierney
Towns
Turner
Udall (CO)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (FL)

NOT VOTING—9

Brown, Corrine
Davis (FL)
Evans
Hunter
Issa
Kennedy (RI)
Larson (CT)
Payne
Snyder

□ 1735

So the amendment was rejected.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. The Chair would advise Members that this series of votes will now include a seventh question, the amendment by the gentleman from Minnesota, Mr. GUTKNECHT.

Mr. BOEHNER. 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. GREEN of Wisconsin) having assumed the chair, Mr. RYAN of Wisconsin, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 5384) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2007, and for other purposes, had come to no resolution thereon.

PERMISSION TO REDUCE TIME FOR ELECTRONIC VOTING DURING FURTHER CONSIDERATION OF H.R. 5384, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2007

Mr. BOEHNER. Mr. Speaker, I ask unanimous consent that during further consideration of H.R. 5384, pursuant to House Resolution 830, the Chair may reduce to 2 minutes the minimum time for electronic voting under clause 6 of rule XVIII and clause 9 of rule XX.

Mr. Speaker, I further ask unanimous consent that the intervention of these proceedings in the House not affect the continuation of 5-minute voting on the pending series of votes in the Committee of the Whole.

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

There was no objection.

LEGISLATIVE PROGRAM

(Mr. BOEHNER asked and was given permission to address the House for 1 minute.)

Mr. BOEHNER. Mr. Speaker, just for the Members who may not have heard, a seventh vote in this series was added, the Gutknecht amendment, that must be completed before we can proceed with the bill. So there are seven votes in the ongoing series.

It is the expectation that the 2-minute voting will not begin until a subsequent series of votes.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair understands that the ongoing series of votes in the Committee of the Whole will resume as 5-minute votes and that the authority for 2-minute voting will be used only in subsequent series.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2007

The SPEAKER pro tempore. Pursuant to House Resolution 830 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. 5384.

□ 1739

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. 5384) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2007, with Mr. RYAN of Wisconsin in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose earlier today, the amendment offered by the gentleman from Texas (Mr. PAUL) had been disposed of and the bill had been read through page 82, line 14.

Under the order of the House just entered, the current series of votes will continue as 5-minute votes. Any succeeding series of votes may include 2-minute votes after the first in a series.

AMENDMENT NO. 12 OFFERED BY MR. CHABOT OF OHIO

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Ohio (Mr. CHABOT) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 79, noes 342, not voting 11, as follows:

[Roll No. 185]

AYES—79

Akin
Andrews
Bachus
Barrett (SC)
Bass
Berkley
Bradley (NH)
Brown (OH)
Burgess
Burton (IN)
Campbell (CA)
Cannon
Cantor
Capuano
Castle
Chabot
Chocola
Clay
Culberson
Davis, Jo Ann
DeGette
Dent
Doggett
Duncan
Ehlers
English (PA)
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Fossella
Franks (AZ)
Garrett (NJ)
Gibbons
Gillmor
Hayworth
Hefley
Hensarling
Hoekstra
Hostettler
Hyde
Inglis (SC)
Istook
Johnson, Sam
Kucinich
Linder
LoBiondo
Mack
Manzullo
Matheson
McHenry
McKinney
Miller, Gary
Moran (VA)
Myrick
Owens
Paul
Pence
Poe
Price (GA)
Ramstad
Rohrabacher
Royce
Ryan (WI)
Sensenbrenner
Shadegg
Shaw
Shays
Stark
Stearns
Tancredo
Taylor (MS)
Thompson (MS)
Tiberi
Van Hollen
Visclosky
Wamp
Waxman
Wilson (SC)

NOES—342

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Baca
Baird
Baker
Baldwin

Barrow
Bartlett (MD)
Barton (TX)
Bean
Beauprez
Becerra
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Butterfield
Buyer
Calvert
Camp (MI)
Capito
Capps
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Chandler
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Tom
Deal (GA)
DeFazio
Delahunt
DeLauro
DeLay
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doolittle
Doyle
Drake
Dreier
Edwards
Emanuel
Emerson
Engel
Eshoo
Etheridge
Everett
Farr
Fattah
Filner
Foley
Forbes
Ford
Fortenberry
Foxx
Frank (MA)
Frelinghuysen
Gallegly
Gerlach
Gilchrest
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Maloney
Marchant
Markey
Marshall
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Murphy
Murtha
Musgrave
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Oxley
Pallone
Pascrell
Pastor
Pearce
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Serrano
Sessions
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Sodrel
Solis
Souder
Spratt
Strickland
Stupak
Sullivan
Sweeney
Tanner
Tauscher
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Tiahrt
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Velázquez
Walden (OR)
Walsh
Wasserman Schultz
Waters
Watson
Watt
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—11

Brown, Corrine
Davis (FL)
Evans
Green, Gene
Hunter
Issa
Kennedy (RI)
Larson (CT)
Lynch
Payne
Snyder

□ 1747

Mrs. MALONEY changed her vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 8 OFFERED BY MR. HEFLEY

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado (Mr. HEFLEY) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 99, noes 322, not voting 11, as follows:

[Roll No. 186]

AYES—99

Akin
Bachus
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Bilirakis
Bishop (UT)
Blackburn
Bradley (NH)
Brady (TX)
Brown (SC)
Burgess
Burton (IN)
Buyer
Campbell (CA)
Cannon
Castle
Chabot
Chocola
Coble
Cooper
Davis (KY)
Deal (GA)
Dent
Diaz-Balart, M.
Duncan
Everett
Feeney
Flake
Ford
Fossella
Foxx
Franks (AZ)
Garrett (NJ)
Gibbons
Gingrey
Gohmert
Gutknecht
Harris
Hart
Hayworth
Hefley
Hensarling
Herger
Hoekstra
Hostettler
Inglis (SC)
Jackson-Lee (TX)
Jenkins
Johnson, Sam
Jones (NC)
Keller
King (IA)
Lewis (KY)
Linder
Lungren, Daniel E.
Mack
Manzullo
Matheson
McCotter
McHenry
Mica
Miller (FL)
Miller, Gary
Myrick
Norwood
Otter
Paul
Pence
Petri
Pitts
Price (GA)
Radanovich
Ramstad
Rogers (MI)
Rohrabacher
Rothman
Royce
Rush
Ryan (WI)
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Stearns
Sullivan
Tancredo
Tanner
Taylor (MS)
Terry
Tiberi
Westmoreland
Wilson (SC)
Young (FL)

NOES—322

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Andrews
Baca
Baird
Baker
Baldwin
Barrow
Becerra
Berkley
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brown (OH)
Brown-Waite, Ginny
Butterfield
Calvert
Camp (MI)
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Chandler
Clay
Cleaver
Clyburn
Cole (OK)
Conaway
Conyers
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
Davis, Jo Ann
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Diaz-Balart, L.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Farr
Fattah
Ferguson
Filner
Fitzpatrick (PA)
Foley
Forbes
Fortenberry
Frank (MA)
Frelinghuysen
Gallegly
Gerlach
Gilchrest
Gillmor
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall
Harman
Hastings (FL)
Hastings (WA)
Hayes
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hyde
Inslee
Israel
Jackson (IL)
Jefferson
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (MN)
Kildee
Kilpatrick (MI)
Kind
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lynch
Maloney
Marchant
Markey
Marshall
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCrery
McDermott
McGovern
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-McDonald
Miller (MI)
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Owens
Oxley
Pallone
Pascrell
Pastor
Pearce
Pelosi
Peterson (MN)
Peterson (PA)
Pickering
Platts
Poe
Pombo
Pomeroy
Porter
Price (NC)
Pryce (OH)
Putnam
Rahall
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Ross
Roybal-Allard
Ruppersberger
Ryan (OH)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Serrano
Shaw
Sherman
Sherwood
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Sodrel
Solis
Souder
Spratt
Stark
Strickland
Stupak
Sweeney
Tauscher
Taylor (NC)
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh

Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wolf
Woolsey
Wu
Wynn
Young (AK)

NOT VOTING—11

Brown, Corrine
Davis (FL)
Evans
Hunter
Issa
Istook
Kennedy (RI)
Larson (CT)
McHugh
Payne
Snyder

□ 1755

Mr. NORWOOD changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 6 OFFERED BY MR. BLUMENAUER

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Oregon (Mr. BLUMENAUER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 135, noes 281, not voting 16, as follows:

[Roll No. 187]

AYES—135

Allen
Andrews
Bean
Berkley
Berman
Biggert
Bilirakis
Bishop (NY)
Blackburn
Blumenauer
Boehlert
Bono
Boucher
Bradley (NH)
Brown-Waite, Ginny
Campbell (CA)
Capps
Capuano
Castle
Chabot
Chocola
Cooper
Davis (IL)
Davis (KY)
Davis, Tom
Deal (GA)
DeGette
DeLay
Dent
Doggett
Doyle
Drake
Duncan
Ehlers
Emanuel
English (PA)
Eshoo
Ferguson
Fitzpatrick (PA)
Flake
Forbes
Fossella
Frank (MA)
Franks (AZ)
Frelinghuysen
Gibbons
Gingrey
Gohmert
Gordon
Green (WI)
Gutierrez
Hart
Hayworth
Hefley
Hensarling
Hoekstra
Holt
Hostettler
Inglis (SC)
Israel
Jackson (IL)
Johnson (CT)
Johnson, Sam
Kanjorski
Keller
Kelly
Kind
Kingston
Kirk
Kolbe
Kuhl (NY)
Langevin
Lee
Lewis (KY)
Linder
Lipinski
LoBiondo
Lowey
Manzullo
Markey
Matheson
McKinney
McNulty
Meehan
Meeks (NY)
Miller, George
Moore (WI)
Moran (VA)
Neal (MA)
Northup
Owens
Pallone
Pascrell
Paul
Pence
Peterson (PA)
Petri
Platts
Price (GA)
Pryce (OH)
Ramstad
Rogers (KY)
Rohrabacher
Royce
Rush
Ryan (WI)
Sanchez, Loretta
Schakowsky
Schiff
Schwartz (PA)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Shuster
Smith (NJ)
Smith (WA)
Souder
Stark
Stearns
Sweeney
Tancredo
Tauscher
Tiberi
Tierney
Udall (NM)
Van Hollen
Wamp
Waters
Watson
Waxman
Weiner
Westmoreland
Young (FL)

NOES—281

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Baca
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Beauprez
Becerra
Berry
Bishop (GA)
Bishop (UT)
Blunt
Boehner
Bonilla
Bonner
Boozman
Boren
Boswell
Boustany
Boyd
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Cannon
Cantor
Capito
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Chandler
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (TN)
Davis, Jo Ann
DeFazio
Delahunt
DeLauro
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doolittle
Dreier
Edwards
Emerson
Engel
Etheridge
Everett
Farr
Fattah
Feeney
Filner
Foley
Ford
Fortenberry
Foxx
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gonzalez
Goode
Goodlatte
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutknecht
Hall
Harman
Harris
Hastings (FL)
Hastings (WA)
Hayes
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Holden
Honda
Hooley
Hulshof
Hyde
Inslee
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kaptur
Kennedy (MN)
Kildee
Kilpatrick (MI)
King (IA)
King (NY)
Kline
Knollenberg
Kucinich
LaHood
Lantos
Larsen (WA)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (GA)
Lofgren, Zoe
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Marchant
Marshall
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McMorris
Meek (FL)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Mollohan
Moore (KS)
Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neugebauer
Ney
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Oxley
Pastor
Pearce
Pelosi
Peterson (MN)
Pickering
Pitts
Poe
Pombo
Pomeroy
Porter
Price (NC)
Putnam
Rahall
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanders
Saxton
Schmidt
Schwarz (MI)
Scott (GA)
Scott (VA)
Serrano
Sherman
Sherwood
Shimkus
Simpson
Skelton
Slaughter
Smith (TX)
Sodrel
Solis
Spratt
Strickland
Stupak
Sullivan
Tanner
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Towns
Turner
Udall (CO)
Upton
Velázquez
Visclosky
Walden (OR)
Walsh
Wasserman Schultz
Watt
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)

NOT VOTING—16

Bass
Brown, Corrine
Davis (CA)
Davis (FL)
Evans
Hoyer
Hunter
Issa
Kennedy (RI)
Larson (CT)
McHenry
Millender-McDonald
Payne
Radanovich
Simmons
Snyder

□ 1802

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 13 OFFERED BY MR. GUTKNECHT

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Minnesota (Mr. GUTKNECHT) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 185, noes 235, not voting 12, as follows:

[Roll No. 188]

AYES—185

Akin
Andrews
Baca
Bachus
Baldwin
Bass
Bean
Becerra
Berkley
Berman
Biggert
Bishop (NY)
Boehner
Bono
Bradley (NH)
Brady (PA)
Brown (OH)
Brown-Waite, Ginny
Butterfield
Camp (MI)
Campbell (CA)
Capps
Cardin
Carnahan
Carson
Case
Castle
Chabot
Chandler
Clay
Clyburn
Costello
Cummings
Davis (CA)
Davis (IL)
Davis, Jo Ann
Davis, Tom
DeGette
Delahunt
DeLauro
Doggett
Doyle
Ehlers
Emanuel
English (PA)
Eshoo
Fattah
Ferguson
Fitzpatrick (PA)
Ford
Fortenberry
Fossella
Frank (MA)
Franks (AZ)
Gerlach
Gibbons
Gonzalez
Gordon
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Harman
Harris
Holden
Holt
Honda
Inglis (SC)
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kelly
Kennedy (MN)
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Kucinich
Kuhl (NY)
Langevin
Leach
Lee
Lewis (GA)
Lipinski
LoBiondo
Lofgren, Zoe
Lynch
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McCrery
McGovern
McKinney
Meehan
Miller (MI)
Miller (NC)
Miller, George
Mollohan
Moore (WI)
Moran (VA)
Murtha
Myrick
Nadler
Napolitano
Neal (MA)
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Owens
Pallone
Pascrell
Paul
Pelosi
Peterson (MN)
Petri
Platts
Porter
Price (GA)
Price (NC)
Pryce (OH)
Ramstad
Reyes
Rohrabacher
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (WI)
Sabo
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Sessions
Shays
Sherman
Slaughter
Smith (NJ)

Smith (WA)
Solis
Souder
Stearns
Stupak
Sweeney
Tancredo
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Tiberi
Upton
Van Hollen
Visclosky
Wasserman Schultz
Weldon (PA)
Weller
Westmoreland
Wexler
Woolsey
Wynn

NOES—235

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Baird
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Beauprez
Berry
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Bonilla
Bonner
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (TX)
Brown (SC)
Burgess
Burton (IN)
Buyer
Calvert
Cannon
Cantor
Capito
Capuano
Cardoza
Carter
Chocola
Cleaver
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Davis (AL)
Davis (KY)
Davis (TN)
Deal (GA)
DeFazio
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doolittle
Drake
Dreier
Duncan
Edwards
Emerson
Engel
Etheridge
Everett
Farr
Feeney
Filner
Flake
Foley
Forbes
Foxx
Frelinghuysen
Gallegly
Garrett (NJ)
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Hooley
Hostettler
Hoyer
Hulshof
Hyde
Inslee
Istook
Jindal
Johnson, Sam
Kaptur
Kildee
Knollenberg
Kolbe
LaHood
Lantos
Larsen (WA)
Latham
LaTourette
Levin
Lewis (CA)
Lewis (KY)
Linder
Lowey
Lucas
Lungren, Daniel E.
Mack
Maloney
Manzullo
Marchant
McCaul (TX)
McCotter
McDermott
McHenry
McHugh
McIntyre
McKeon
McMorris
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller, Gary
Moore (KS)
Moran (KS)
Murphy
Musgrave
Neugebauer
Ney
Northup
Norwood
Nunes
Otter
Pastor
Pearce
Pence
Peterson (PA)
Pickering
Pitts
Poe
Pombo
Pomeroy
Putnam
Radanovich
Rahall
Rangel
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Ryan (OH)
Ryun (KS)
Salazar
Sánchez, Linda T.
Saxton
Schmidt
Serrano
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (TX)
Sodrel
Spratt
Stark
Strickland
Sullivan
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velázquez
Walden (OR)
Walsh
Wamp
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wu
Young (AK)
Young (FL)

NOT VOTING—12

Brown, Corrine
Culberson
Davis (FL)
Evans
Hunter
Issa
Keller
Kennedy (RI)
Larson (CT)
Oxley
Payne
Snyder

□ 1811

Mr. ALEXANDER changed his vote from ''aye'' to ''no.''

Ms. ZOE LOFGREN of California, Mr. GUTIERREZ, Ms. WASSERMAN SCHULTZ and Mr. NEAL of Massachusetts changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. REICHERT

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. REICHERT:

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

SEC. 7____. None of the funds appropriated or otherwise made available by this Act shall be used to apply part 1124 of title 7, Code of Federal Regulations, to any producer-handler that produces less than 9,000,000 pounds of milk per month.

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

The CHAIRMAN. A point of order is reserved.

Pursuant to the order of the House of today, the gentleman from Washington (Mr. REICHERT) and a Member opposed each will control 5 minutes.

The chair recognizes the gentleman from Washington.

Mr. REICHERT. Mr. Chairman, in April of 2006, the U.S. Department of Agriculture issued a proposal 2 years in the making. The rule requires the Pacific Northwest and other producer-handler operations that produce more than 3 million pounds of milk per month to participate in the milk pool.

To process milk, they must buy from the pool at a set price. This helps ensure dairies small and large are paid the same price for their milk.

But do-it-all operations like Smith Brothers Farms in Kent, Washington, called producer-handlers, have been exempt from the regulations since the Depression. These producer-handlers are dairies that produce milk and process it into final product themselves. The thinking at the time was they were too small to influence prices and could not survive without the exemption.

Smith Brothers is one of only three dairies left in the Pacific Northwest that raise and milk the cows, as well as pasteurize and bottle the milk. The new regulations would devastate their business. The rule change was meant to target a much larger producer-handler that was producing 28 million pounds of milk per month, and this small, family-owned business got caught in the crossfire.

The big change happened when a producer-handler decided to get big. It made big investments and went after the big box stores, and because it had freedom to set its own prices, it took away business from the pool dairies.

This large milk distributor that I just indicated is producing 28 million pounds of milk per month and has 13,000 cows. In comparison, Smith Brothers Farms in Kent, Washington, produces only 6.5 million pounds of milk per month and has only 3,000 cows.

This order, if allowed to stand, would have a devastating effect on dairies like Smith Brothers and would require them to go out of business, sell off parts of their dairy operation, and/or pay $100,000 a month to a pooled penalty or settlement fund which would subsidize their dairy operators. This order would limit competition and ultimately drive milk prices up in the Pacific Northwest.

Mr. Chairman, my amendment states that these USDA regulations should only apply to very large producers, those that produce 9 million pounds of milk per month or more. A 9 million pound hard cap would mean that if a producer-distributor exceeds 9 million pounds of Class 1 route distribution, they cease to be eligible for producer-handler status and become a regulated plant.

Mr. Chairman, I realize that this amendment will not be made in order. However, I hope that we can continue to work on this issue in order to protect small dairy farms that provide a unique and valuable product to our customers.

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

The CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

□ 1815

AMENDMENT OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. JACKSON-LEE of Texas:

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

SEC. ____. None of the funds appropriated in this Act may be used to deny compensation to eligible individuals filing claims to be satisfied out of the settlement fund approved by the court April 14, 1999 in Pigford v Glickman, 185 F.R.D. 82 (D.D.C. 1999).

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

The Acting CHAIRMAN. The gentleman reserves a point of order.

Pursuant to the order of the House of today, the gentlewoman from Texas (Ms. JACKSON-LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield myself such time as I may consume, and I want to thank the ranking member, Ms. DELAURO, and the chairman, Mr. BONILLA.

Frankly, under ordinary circumstances, in regular order, Mr. Chairman, it would be appropriate to argue this amendment and to seek to overrule or to defend, if you will, the point of order. But I am offering this amendment to, in essence, give light to an unending problem to an aspect of the agricultural industry here in the United States.

Mr. Chairman, this is an issue that has been worked on by many Members of Congress. However, unlike as in the words ''silence is golden,'' the absence of silence of debate on this question is not golden and has really hurt African-American farmers, black farmers. They have been working a number of years to secure the enforcement of a settlement that was rendered some years ago, in 1999, under the Glickman administration, when Mr. Glickman was the Secretary of Agriculture when President Clinton was in office.

This is a civil rights case stemming from years and years of being denied farm loans, with documented information regarding the many regions where black farmers were. Black farmers were, in essence, sort of the legacy of slavery to the extent that many of them gained their land through that period. Many of them farmed the land and were great contributors to American society in general, but certainly to the farm industry of America. When they began to ask for farm loans, as other farmers did, interestingly enough, the Department of Agriculture systematically and on racial grounds denied them loans, therefore causing a lot of foreclosures and the unnecessary losing by African Americans of their farmlands.

I am grateful to past administrations, and even to those in this administration, who understand the plight of these farmers. Without the loans, many farmers faced foreclosures, as I said, and lost their farms. In 1920, African Americans owned one in seven farms. Today, it is one in 100, and I might argue it is even less than that. A large number of African Americans did not then and many do not today even know that the lawsuit exists.

So the issue before us is the question of extending the statute of limitations so that no farmer is denied. And the language of my amendment says that no funds shall be utilized to deny any eligible farmers for this particular consent decree that comes under the Pigford v. Glickman consent order.

I want you to know, Mr. Chairman, that this was a class action and that it was agreed to by the U.S. Department of Agriculture. That is an important point. We have been trying to work on legislation that would waive or extend the statute of limitations, but it is important in the context of the agriculture appropriations bill to let it be known that there are farmers who weren't given the monies to survive and, therefore, are in need of the serious look of the Appropriations Committee to continue to press the Department of Agriculture to make good on the consent order that they agreed to.

The discrimination in the USDA was so common during the period of 1980 to 1986 that the Glickman case determined that anyone bringing a claim with a valid showing should receive compensation. In fact, any nonwhite American farmer should receive compensation because the discrimination was so pervasive.

So, in essence, this opportunity is to make a plea to the United States Congress not to forget these farmers and to take the language of the Glickman Department of Agriculture, which is in essence this Department of Agriculture, who found such blatant discrimination, such broad-based discrimination that the definition was anyone, anyone who could make their case was eligible, and my language speaks to any eligible person.

We have a barrier of the statute of limitations and we have a barrier of no one listening. We have a barrier of no one shining light on this plight and a barrier, if you will, of not recognizing that America's small farmers, which African Americans are, are the backbone of our farming industry and really are the backbone of the importance of the farming community here in the United States.

We are trying to help family farmers. We are insisting on family farmers surviving. We want to encourage them by the growth of the ethanol production and, therefore, we should try to encourage these African American farmers who were just randomly denied loans, without any criteria for the denial, just on the basis of race, to be able to make good on this important legislation and this consent decree.

In essence, Mr. Chairman, this amendment is to say to my colleagues that ''none of the funds appropriated in this act may be used to deny compensation to eligible individuals filing claims to be satisfied out of the settlement fund approved by the court April 14, 1999.''

I look forward to yielding to the distinguished gentleman on the point of order.

The Acting CHAIRMAN (Mr. KUHL of New York). Does the gentleman continue to reserve his point of order?

Mr. BONILLA. Mr. Chairman, I reserve the point of order and claim time in opposition to the amendment.

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

Mr. BONILLA. The gentlewoman's time has expired, I realize, but just this comment that she is correct, that this is an issue that needs to be addressed by the Congress, and I would encourage Members to address these concerns.

Ms. JACKSON-LEE of Texas. Mr. Chairman, will the gentleman yield?

Mr. BONILLA. I would be happy to yield briefly.

Ms. JACKSON-LEE of Texas. I thank you. I thank you for acknowledging that, Mr. Chairman, and I thank the ranking member for acknowledging this important issue, and I look forward to working with you in this body.

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

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

There was no objection.

AMENDMENT OFFERED BY MR. GARRETT OF NEW JERSEY

Mr. GARRETT of New Jersey. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. GARRETT of New Jersey:

Page 82, after line 14, insert the following:

SEC. 753. None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 employees from a Federal department or agency at any single conference occurring outside the United States.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from New Jersey and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. GARRETT of New Jersey. Mr. Chairman, I will not use my entire 5 minutes.

This is an amendment on an appropriations bill that we have seen in some other ones that have passed previously, and it goes to the issue of how we have addressed over the last couple of days spending.

Regardless of which side of the aisle that you may come from, I think Members from both sides of the aisle will agree with one thing, and that is that our deficits are too high. When we are spending our taxpayers' dollars, we must be ever vigilant to be sure we are spending them wisely. Again, this amendment is a commonsense limitation on those hard-earned tax dollars.

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

Mr. GARRETT of New Jersey. I yield to the gentleman from Texas.

Mr. BONILLA. Mr. Chairman, the gentleman presents a good amendment, and we will be happy to offer support for him if the gentleman can submit his remarks and move the amendment to a vote.

Mr. GARRETT of New Jersey. Reclaiming my time, I thank the chairman for his comments, and I will then conclude my remarks simply by saying that this is an issue that has already been addressed in the Senate, somewhat extensively, pointing out the egregious examples in the past where extraordinary numbers of Federal employees have gone on international conferences.

So what the amendment simply does, at the end of the day, is put a finite number on that. In this bill it limits it down to 50 conferees to attend any international conference. We believe that is a reasonable number. We believe that any agency will be able to

live within those numbers, and again I appreciate the chairman's acceptance of this amendment.

While those on each side of the aisle may differ on how we got there, I think that most Members of this body agree that our deficit is far too high.

That is why the amendment I am offering is a commonsense approach to help limit spending and abuse of all of our constituent's hard-earned tax dollars.

My amendment will limit the number of Federal employees that are sent to international conferences funded under this bill to 50. The amendment also limits that dollar amount that can be spent to $8.2 million, which is the level spent in FY01. We have seen about a 25 percent increase between then and FY05, far too great an increase while we are operating with such high deficits.

Recently there has been a trend by our government to send a far excessive amount of staff to these international conferences, costing taxpayers millions of extra dollars.

While like all of my colleagues, I understand the importance of staff, I am simply seeking to make sure that only essential staff are utilized during these expensive foreign conferences.

While one more staffer here, and one more staffer there doesn't sound like much, it could mean one more shift a worker in my district has to work instead of being home with his family.

Due to my limited time I won't bore the floor with all the egregious examples. But I will note that unfortunately these conferences are a pattern of excess government.

This amendment has passed in various appropriations bills and is an excellent way to show this body's commitment to fiscal responsibility. I urge all of my colleagues' support.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey.

The amendment was agreed to.

AMENDMENT OFFERED BY MR. WEINER

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. WEINER:

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

SEC. 7____. Using funds that would otherwise be paid during fiscal year 2007 as direct payments and counter-cyclical payments with regard to cotton and rice production, the Secretary of Agriculture shall make grants to the several States in an amount, for each State, equal to at least 0.75 percent of such funds, to be distributed to active agricultural producers in the State in a manner approved by the Secretary.

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

The Acting CHAIRMAN. The point of order is reserved.

Pursuant to the order of the House of today, the gentleman from New York (Mr. WEINER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

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

There is some irony in the chairman of the committee raising a point of order against this bill, because the purpose of this amendment is to point out how badly out of order one part of our budget is.

What my amendment does is it requires that each and every State in the Union get a minimum amount of agriculture programs for cotton and rice, whether they have cotton or rice or not. New York, for example, has no cotton production and has no rice production. This amendment would guarantee that New York gets a minimum amount; .75 percent, of the budget for cotton and rice should go to New York. It guarantees that all States, and there are about 25 or 30 of them that have no cotton or rice subsidies, get a minimum guarantee of cotton and rice funding.

Now, why would I offer such a thing? Why would you propose such an absurd notion, that any program designed for a specific constituency, those that make cotton and rice, would get a minimum guarantee? Well, that is exactly the question those of us in high-threat urban areas ask about homeland security funding all the time. Yet, believe it or not, a minimum amount, .75 percent, of homeland security funds go to every single State in the Union.

What is the result? The result is the number one per capita recipient of homeland security funds isn't New York, it is not Washington, DC, it is not California or Orlando, where Disney World is. It is Wyoming. Wyoming, in fact, gets $18.33 per capita while New York gets only $2.60 because there is a minimum guarantee that every State get a certain amount of homeland security funds.

So I have often said to my colleagues, wouldn't it be ridiculous to do that if this was any other program? Well, let's see. I am offering an amendment here that would do just that, and I hope what it does is it serves to get my colleagues thinking a little bit about how government programs should be allocated.

I think all of us would agree that there is an appropriate place for agriculture programs. I would hope all of us agree that in a post-9/11 world there is an appropriate role for the Federal Government in distributing aid for homeland security. But certainly we should be able to agree that just as it makes sense for cotton farmers to get cotton subsidies, those in the greatest threat of a homeland security attack should get the greatest portion of those funds.

Having a minimum guarantee, as there is in the present law, of .75 percent for every single State for homeland security funds, creates the most distorting effect. Vermont gets $15.28 for homeland security for each and every man, woman and child in Vermont, while California and New York get in the low $2 range. It simply makes no sense.

So I would encourage my colleagues to think in terms of the farm program when we come up and talk about the homeland security program. I would encourage you to think about the idea that Mr. BONILLA and Ms. DELAURO worked so hard to make sure the people that need the aid get the aid, and we should do that type of thing when we are considering homeland security funds.

It is out of order to say every State should get a minimum guarantee of agriculture programs, but it is equally out of order to make that assertion about homeland security funds. So I would say to my good friends in agriculture States, I am a person from New York. What I know from agriculture, notwithstanding the little I know about pests, is I know that the agriculture community produces a breadbasket of food second to none, and we need to do what we can to make sure that our programs here in Washington support them.

We formed a coalition throughout time, frankly, between rural areas and urban areas around our needs. We used to, in the 1980s and early 1990s, when it came to transportation funding, you would vote for that though it might not benefit you directly, and we would vote for agriculture funding. But never, never did we say in these programs there should be an absolute minimum guarantee for a program, particularly one like the Department of Homeland Security, which goes according to risk.

So I would urge my colleagues to vote ''yes'' on the Weiner amendment. Let us have a minimum guarantee, and maybe if we have every program by a minimum guarantee, we will realize it is absurd to have that formula for any program.

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

□ 1830

POINT OF ORDER

Mr. BONILLA. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriations bill and therefore violates clause 2 of rule XXI.

The rule states in pertinent part: ''An amendment to a general appropriations bill shall not be in order if changing existing law.'' The amendment imposes additional duties. I ask for a ruling from the Chair.

The Acting CHAIRMAN (Mr. KUHL of New York). Does any other Member wish to be heard on the point of order?

Mr. WEINER. Mr. Speaker, I agree that we are legislating on an appropriation bill, and I agree it is out of order to oppose or pass the notion that every State should have a minimum guarantee. It is exactly that ruling and exactly that language from the chairman that I would ask you to keep in mind when we consider other legislation.

Minimum guarantees are not the way we legislate around here. We legislate based on need; and, frankly, it is clear that we are not allocating homeland security resources. And just the way

this will be ruled out of order, I hope you keep that in mind when we consider those measures as well.

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

Hearing none, the Chair finds that this amendment includes language imparting direction. The amendment therefore constitutes legislation in violation of clause 2 of rule XXI. The point of order is sustained. The amendment is not in order.

AMENDMENT OFFERED BY MR. GARRETT OF NEW JERSEY

Mr. GARRETT of New Jersey. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. GARRETT of New Jersey:

Page 82, after line 14, insert the following:

SEC. 853. None of the funds provided under the heading ''TITLE IV—DOMESTIC FOOD PROGRAMS--FOOD STAMP PROGRAM'' shall be expended in contravention of section 213a of the Immigration and Nationality Act (8 U.S.C. 1183a).

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from New Jersey (Mr. GARRETT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. GARRETT of New Jersey. Mr. Chairman, I yield myself such time as I may consume.

I rise again this afternoon for what I believe is a commonsense and important amendment to the legislation before us; commonsense simply because at the end of the day all the amendment does is to say we should be enforcing the current law.

As it stands right now, 8 U.S.A., section 1183, states that an affidavit must be filed by a sponsor of an incoming alien to the country. That affidavit is a legally binding guarantee on the part of the sponsor that the immigrant that they are sponsoring will not become a ''public charge.'' What I am citing here is nothing new. This public charge requirement goes all the way back to immigration policy of the 1880s.

So what this amendment does today is simply restate that in strong terms saying that no funds appropriated under this act, under the Food Stamp Program, will be spent in noncompliance of current Federal law. The reason we do this is to reinforce the fact that the laws on the books should be enforced.

And, secondly, it addresses another point as well. Some people might argue that there is not enough money in the Food Stamp Program for all of the needs that are out there, and we can debate that from one side to the other. But if you honestly believe that there isn't enough money out there for the entire Food Stamp Program, I think we all agree from both sides of the aisle that the money in the program should be going to the people that it was intended for in compliance with the statute and in compliance with current law.

So on that, I will conclude by saying we are asking nothing more than the Food Stamp Program currently in existence today comply with the laws set forth.

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

Mr. BONILLA. Mr. Chairman, I would like claim time in opposition, even though I am not opposed.

The Acting CHAIRMAN. Without objection, the gentleman from Texas is recognized for 5 minutes.

There was no objection.

Mr. BONILLA. Mr. Chairman, it is my understanding that this amendment that the gentleman from New Jersey has worked very hard on tells the Department to comply with existing law, and at this point we have no objection to the amendment and would move the vote.

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

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

Ms. DELAURO. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT OFFERED BY MR. BACA

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. BACA:

Page 82, after line 14, insert the following:

SEC. 753. None of the funds appropriated by this Act may be expended to reimburse a State agency for expenses under section 16(a) of the Food Stamp Act of 1977 if the State agency has implemented operational changes in the food stamp program designed to increase the total percentage of applications submitted by mail, by telephone, and on-line to more than 20 percent of the total applications submitted in that State unless the State agency can certify, and it is further certified by the Secretary of Agriculture, that persons with disabilities will retain equal access to the food stamp program, that such persons will receive fair service, and that the State agency's plan would comply with applicable civil rights laws, including the American's with Disabilities Act and section 504 of the Rehabilitation Act.

Mr. BONILLA. Mr. Chairman, I rise to reserve a point of order against the amendment.

The Acting CHAIRMAN. The gentleman's point of order is reserved.

Pursuant to the order of the House of today, the gentleman from California (Mr. BACA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

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

We must stop throwing away good money after bad policy. Some States are taking misguided steps in administering the Food Stamp Program and other public benefits. Moving 20 to 50 percent of all cases online or to remote calling centers makes little sense, creating problems for those most in need.

The fact is, disabled, undereducated and minority food stamp participants are losing their food stamp benefit because of these cost-cutting privatization initiatives.

What is happening in Texas is a waste of Federal funds. The Texas State comptroller called for an investigation of the new public benefit system. The Texas State comptroller said that the Accenture contract appears to be a perfect storm of wasting tax dollars, reducing access to services, and profiteering at the expense of taxpayers.

The new eligibility system is a disaster. More than 300,000 children have left the CHIP program. This has been blamed on the contractor's loss of applications, payments that were not credited to the proper accounts, and families who have been improperly denied benefits.

Mr. Chairman, we cannot allow other States to be misguided down the road. If the Baca-Doggett-Green amendment would have been in order, we would have forced States to certify that changes to the application process are not hurting sensitive communities under existing civil rights and disabilities law.

People on food stamps and other public benefits need our help to ensure that new program structures, privatization and other changes do not harm them and do not take away food from the table. That is the purpose of this amendment.

Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Chairman, a massive experiment on poor people in Texas has been a true disaster. Mr. BACA seeks to ensure that all Americans are protected from the same thing happening to them.

Apparently, there were some people, who thought that Accenture could do just as good a job in responding to food stamp inquiries as it did dodging its fair share of taxes by moving off to Bermuda. They were wrong.

Even our Republican comptroller, as Mr. BACA has noted, says we have had a storm, ''a perfect storm of wasted tax dollars.'' Many members of our Texas delegation this very week have written to the Governor saying that we believe ''assisting families with nutrition and health care is not an expense, it is an investment in our community,'' and noting that face-to-face assistance by our public employees cannot be substituted by a machine, with turning poor people over to the Internet or a phone call in a distant city instead of a human being.

Moreover, our Texas State locations have ''well-trained eligibility employees.'' Those are the employees that our

Texas Governor proposed to dismiss. We need to keep them there, and this amendment would help accomplish that.

Mr. BACA. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. AL GREEN).

Mr. AL GREEN of Texas. Mr. Chairman, I rise to speak on behalf of some of our most vulnerable Americans who are being denied access to needed food stamps because of States eliminating face-to-face interviews.

Mr. Chairman, I speak on behalf of children, the elderly, disabled, and those with limited literacy. I regret that they are not here to speak for themselves because if they were here to speak for themselves, they would tell you about the 20-minute phone waits. They would tell you about the phone calls that have been abandoned because they had to wait too long, 44 percent per the USDA.

They would tell you about the inability to use the phone because they cannot speak, the inability to use the phone because they cannot hear. They would tell you about the lack of computer access and the lack of computer literacy.

This amendment ensures a user-friendly system for some of our most vulnerable Americans. I speak for them. I stand with them. I cast my vote for them.

Mr. BACA. Mr. Chairman, I ask unanimous consent to withdraw my amendment given that this amendment would be subject to a point of order, and hope that Chairman BONILLA and Ranking Member DELAURO will work to increase congressional oversight on this issue.

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

There was no objection.

Ms. DELAURO. Mr. Chairman, I move to strike the last word.

Mr. Chairman, on the immediately preceding amendment that was just withdrawn, this is an issue I have followed closely for a long time, and I have questioned USDA officials about this. I offered a motion to instruct conferees on the 2006 conference report on this issue. There is no question that this ill-considered plan must comply with all of our civil rights laws.

I applaud the gentleman for his effort. I would also like to tell Members about what a mess the Texas effort to privatize not only the Food Stamp Program but other critical social services is in.

Just last week, Texas announced that the work by the company awarded the $899 million privatization contract, Accenture, was so bad it was putting the privatization effort on, what was described in the press, and I quote, ''indefinite hold.''

Texas also announced it was going to give 1,000 State employees that it had planned to lay off bonuses of $1,800 so they would stay to help fix the mess created by Accenture. Accenture's mismanagement of the State's CHIP program was so bad that 28,000 children were scheduled to lose their coverage in May, on top of an already large drop in enrollment since privatization occurred. The State had to intervene to keep the children enrolled.

As part of the 2006 conference report, USDA is required to send the committee quarterly reports on the Texas situation. The second and most recent report from the USDA, like the first, is very blunt in its assessment of the problems they see with what Texas has done with respect to the food stamp portion of this.

The report says: ''The following concerns give pause to expansion without substantial improvements in system functionality to support a more ambitious implementation agenda.''

Among the concerns: Long wait times for calls; high abandonment rates by callers; vendor performance is questionable as evidenced by the high percentage of cases that are returned to the vendor because of missing information and errors; case file documentation needs to be substantially improved to support program access and integrity; vendor performance on handling calls shows problems with the staffing and training resulting in information to the extent that it is unclear whether applicants will know how to apply.

The simple truth is that this effort is a disaster and it threatens the right of Texans to get the benefits to which they are entitled.

AMENDMENT OFFERED BY MR. FLAKE

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. FLAKE:

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 fund dairy education in Iowa.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. BONILLA. Mr. Chairman, before the gentleman begins, I ask unanimous consent that the amendment be read, and the reason I am doing this is because we are not sure which amendment we are addressing and in what order.

The Acting CHAIRMAN. Without objection, the Clerk will report the amendment.

There was no objection.

The Clerk read the amendment.

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

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

Before addressing this particular earmark, let me make a few general comments about what we are going to do today.

Today we will engage in a debate that has been a long time in coming. I plan to offer several amendments to this bill to block funding for a series of Member earmarks that are contained in the committee report that accompanies the bill.

Let me point out that the House has already voted in the lobby reform bill a few weeks ago to require that Members attach their names to their earmarks; yet this committee report has come to the floor with more than 400 earmarks and not one name. They are not required to do so until the bill passes both Chambers, but it would be nice to have the names attached.

Let me state from the outset I am under no illusion that I can block funding for any of these earmarks we will discuss. I am well acquainted with the process of log rolling where one Member agrees to support another Member's earmarks if that Member will agree to do the same. I suspect that log rolling will prevail here today.

But it is about time that we provide a little window into the process. Is it the Federal Government's responsibility to recruit dairy farmers from other regions to move to northeast Iowa, as one of the earmarks we will discuss today purports to do?

Is the need so great this year to fund the National Grape and Wine Initiative that we should add $100,000 in debt owed by future generations?

Since our responsibility as Members of Congress is to prioritize limited resources, do we really want to tell taxpayers that we believe that spending $180,000 on hydroponic tomato production is more pressing than other issues?

I expect that a few of the amendments I will offer today will be successfully blocked because of a point of order. The reason: because we have no documentation that a Federal agency that will fund the project knows anything about the project that is to be funded.

□ 1845

To successfully challenge the earmark requires an assumption that the agency is familiar with the project. Otherwise, we might be legislating on an appropriation bill, a violation of our rules. The incentive, therefore, for Members looking to protect their earmarks, is to be either vague or silent about the project's goals and its oversight.

Let us think about that for a minute. How are we supposed to exercise oversight for these earmarked projects? Who is to be held accountable? Not the government agency. By upholding the point of order, we are stipulating that the agency might as well not even know that the project exists.

In the end, since rank-and-file Members can't even challenge those earmarks without being subject to a point of order and the agencies don't know

anything about them and since we don't even know who requested the earmark in the first place, the only individuals who have any oversight function are selected members of the Appropriations Committee or their staff.

Mr. Chairman, it does not speak well for us as legislators when the first and last documentation of these earmarks is found in Members' press releases. I would like to think that we can do better than that. I think that all of us were elected to this august body with higher aspirations than to grovel for crumbs that might fall from appropriators' tables.

We need to reform the process. We need to get back to the process of authorization, appropriation and oversight. That is what this branch of government is supposed to do. We diminish ourselves at our office when we stray from that course.

This particular earmark or this particular amendment seeks to strike funding for an earmark to provide $229,000 to retain and grow the business of existing dairies and recruit dairy farmers from other regions to northeast Iowa. What business is it of the Federal Government to recruit dairy farmers to move from other regions to northeast Iowa?

This work is to be carried out primarily at the Northeast Iowa Community College Dairy Center, and it is funded through the Cooperative State Research, Education and Extension Services Extension Activities. The agricultural appropriation bill for fiscal year 2007 includes more than $750 million for extension activities, which is more than $5 million last year and $26 million over the President's request. I should point out, funding for this program was not included in the President's request.

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

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

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

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

This Congress was the first one in a generation last year to cut discretionary spending. The gentleman's amendment also does not do one thing to reduce spending in the bill.

Yes, it would remove language for the particular project that the gentleman is referencing, but then that money would be reverted back to the Federal agency, to whatever office disseminates this money, and then it would be left to some career bureaucrat to make the decision. Now, there are a lot of professionals that work at that level, but I for the life of me could not understand why we would leave all of those decisions up to the Federal agencies.

Let me also say that this bill, aside from the discretionary spending we cut last year as fiscal conservatives, we cut this bill almost $100 million from last year, and the ''earmarks'' that are being referenced in this debate only make up 2 percent of this bill. So for all the grandiose statements that are being made here about being a champion of fiscal conservatism, big deal.

Mr. Chairman, I yield 2 minutes to my distinguished colleague from Iowa (Mr. LATHAM).

Mr. LATHAM. Mr. Chairman, I think it is fascinating the way this amendment reads. None of the funds made available in this act may be used to fund dairy education in Iowa. Now, I don't know whether that means, apparently, it is okay to educate people about dairy in Wisconsin and Minnesota and Arizona; I think we should. I don't know what you have necessarily against dairymen in Iowa.

Mr. Chairman, the funds contained in the bill for the northeast Iowa dairy education project are extremely important to Iowa's dairy industry because they help foster and enhance the development of new dairy-producing operations and mostly among young dairy farmers.

Throughout the northeast region in my district, I hear about the continuing success of this program and how the program has made meaningful differences to the small dairy producers in this part of the State. If one is a small dairy producer, of which there are many in the State, continuing education is very important. The education project aids the retention and growth of existing dairy farms and responds to challenges to dairy farmers.

This project is also important to necessary research, and it is coordinated with Iowa State University, also the National Animal Disease Center; it coordinates with this project. And it really is something that goes to not only diseases but state-of-the-art production and environmental management techniques. I should also note that the funding for this project leverages $9 million, or has in the past, $9 million of non-Federal funding. So it is not like the people, the farmers up there, the producers themselves, have not put their dollars in with this project.

It is extremely important, and I would certainly ask people to vote against this amendment.

Mr. FLAKE. Mr. Chairman, I yield myself the balance of my time.

The only reason we limit it to dairy education in Iowa is to ensure that our amendment was made in order. Believe me, if there were dairy education for Arizona, I would strike that as well. We simply shouldn't have programs like this.

Let me just say, according to the Iowa State Dairy Association, the Iowa State dairy industry contributes more than $1.5 billion to the economy and provides more than 26,000 jobs. I would submit that spending $229,000 isn't going to do much to change that trend one way or another. It is simply something we shouldn't do.

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

I would only briefly say again that a vote to support this amendment does not a single thing to cut spending in this bill and would just turn over all the decision-making process to a government agency. The Constitution calls for the House of Representatives to decide how funds are allocated, and I am a great believer in that. I urge all Members to vote ''no.''

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

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

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

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

AMENDMENT OFFERED BY MR. FLAKE

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. FLAKE:

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 fund the Fruit and Vegetable Market Analysis, Arizona and Missouri grant.

Mr. BONILLA. Mr. Chairman, again just for clarification, I would ask unanimous consent that the amendment be read so we understand which amendment is before us.

The Acting CHAIRMAN. Without objection, the Clerk will read the amendment.

There was no objection.

The Clerk read the amendment.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

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

The committee has provided $350,000 for providing analysis of the impacts of trade, environmental, monetary, and other policies on the Nation's fruit and vegetable industry to stakeholders. This research is to be carried out by Arizona State University and the University of Missouri. I should note that Arizona State University has a campus in my district.

The original goal of the research was to respond in a timely manner to requests for policy-relevant information from congressional Members and their staffs on a wide variety of topics that impact the fruit and vegetable industry and consumers. The project also develops 10-year baseline projections on production, prices, consumption and trade for the fruit and vegetable sector. The funding is through the Cooperative

State Research, Education and Extension Service's Special Research grants, which are congressionally directed and noncompetitive research earmarks awarded to universities. Again, these are noncompetitive research earmarks awarded to universities.

The agriculture appropriations for fiscal year 2007 includes more than $100 million in these earmarks, many that have persisted for years and can only be terminated by Congress.

The Fruit and Vegetable Market Analysis has been receiving Federal funds since 2002 and has received more than $1.3 million in appropriations. This earmark, again, was not included in the President's request and this project has no formal evaluation. There is no expected completion date with this analysis, and it is expected to be ongoing.

Here is another example: There are so few opportunities for oversight here. When you contact the Federal agencies, it is difficult to even determine if they know that these projects exist. Who is supposed to be providing oversight here? In Congress, we are not, certainly. I mean, a lot of these programs, some of the earmarks that we will discuss today were expected to be 2-year programs. They have gone on for over a decade. When do we say, enough is enough? Where is the oversight? If the Federal agency is not providing the oversight, if they do not even know of the program, and Congress is not providing the oversight, how do we know that we are getting our bang for the buck?

These are pork barrel projects. We should not be funding them.

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

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

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

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

Once again, the gentleman who is proposing this amendment somehow thinks that this is going to save money in the bill.

Let me point out also, in addition to the remarks I made earlier about cutting discretionary spending and cutting this bill back this year, there have also been cuts in this bill where funding for the Member priorities are down $35 million or 8 percent from last year. So the effort to deal with fiscal conservatism is ongoing and continues from last year when we started cutting discretionary spending. We also terminate eight Federal programs for a savings of more than $4 million.

So anyone who thinks that we are not concerned about fiscal conservatism can look at the facts and figures before them. And we understand that the media likes to talk about Member priorities, but I would suggest that anyone who is truly serious and is not looking for recognition would work on entitlement reform, which is where the vast majority of our government funds go to, and that would really make a big mark on cutting back on spending, not amendments such as this one that do not cut one penny out of this bill. And I hope our colleagues and the constituents that are watching this are not somehow fooled into thinking that this amendment cuts one penny out of this bill.

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

Mr. FLAKE. Mr. Chairman, I yield myself 2 minutes.

It strikes me as odd that the Appropriations Committee claims that this is money that is going to be spent anyway. We have no control. This is money, if we knock it out of here, it will just be spent elsewhere.

What are we here for? Are we potted plants, just here to watch money go out the door?

We are here to prioritize. We are here to say, this ought to be funded, that should not be funded.

Last Friday, we had a great discussion about the Military Quality of Life bill, where there was funding in there that was put in emergency category. Surely the Appropriations Committee or the House as a whole can say this $500 million that we are doing in earmarks here in the agriculture bill perhaps could go to Military Quality of Life. Why can we not do that?

This notion that we have no control and we cannot move money from one account to another is simply absurd. We can. We are Members of Congress. That is what we are here to do, to prioritize. So I completely reject the notion that we cannot do this.

Also, on the subject of earmarks versus entitlements, I think my colleague in the Senate said it well: Earmarks are the gateway drug to spending addiction. Once you get earmarks, then it is much easier to get other spending as well. A lot of the entitlement programs that we have expanded, the prescription drug benefit, for example, was made possible because of so many earmarks on other bills.

Earmarks are a problem. It does add up to real money. I believe the transportation bill last year was some $27 billion in earmarks. That is not chump change. And I think that Americans all over are concerned about this and rightly so.

Also, when you have a process here where there are no names attached to the earmarks, we do not know how to find out about these programs.

□ 1900

We simply don't know. We contact the Federal agencies. Half the time they don't know about the programs. Where are we to provide oversight? That is one of our responsibilities, and we are not doing it here.

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

Mr. Chairman, Members come to the floor and offer amendments that have either substantive increases or decreases to appropriations bills. I use as an example a sincere Member from the State of Colorado, comes here every year with an amendment to cut spending that has a true impact on the bill. Whether he succeeds or not, there are votes held on that and honest debate is held.

But, again, when amendments are presented in this form, there is no savings. Anyone who suggests that there is a savings in writing amendments like this is a fool, because they are not cutting a single penny from the appropriations bill.

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

Mr. FLAKE. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, in this 30 seconds, let me explain that the Appropriations Committee, all they have to do is tell the Budget Committee we would like a lower 302(b) allocation. The Budget Committee, believe me, will be glad to do that.

I am offering 11 amendments today. The FY 07 agriculture appropriations bill has more than 450 amendments; 450. That is nearly identical to the 10-year average, according to CRS.

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

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

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

The amendment was rejected.

AMENDMENT OFFERED BY MR. FLAKE

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

Mr. BONILLA. Mr. Chairman, I ask unanimous consent that all amendments remaining, with the exception of the last one, be read, just so we know which one we are dealing with, because we have a stack of papers we are looking at.

The Acting CHAIRMAN. That can be addressed ad hoc.

Without objection, the Clerk will read the amendment.

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. FLAKE:

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 fund the Food Marketing Policy Center, Connecticut grant.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

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

Mr. Chairman, this amendment for the Food Marketing Policy Center is a Connecticut earmark. The committee has provided $579,000 for a center that analyzes strategies and public policies

that impact the marketing of food as well as food safety marketing.

I would ask again, what business is it of the Federal Government, with far higher priorities, to fund an earmark like this? I would say again to those who say, well, if you strike funding for this, the funding will simply go to the agencies and they will spend it on their own, we can instruct the Budget Committee, again, to say please lower the allocations. Let's spend less on earmarks and spend more on body armor or something else. We have the power to make those priorities, yet we are not.

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

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

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

Mr. BONILLA. Mr. Chairman, to begin the position of those opposed, I yield 3 minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Chairman, I rise in strong opposition to the gentleman's amendment and want to say a few words about the work done at the University of Connecticut's Food Marketing Policy Center. It is hardly frivolous.

The policy center has an established track record as a research resource for policymakers across the world. It conducts research on a variety of food and agricultural marketing, safety related policy matters, information that contributes to the work that we do to improve our food production, marketing, and safety systems.

Let me give you a couple of examples how it has helped us here in the Congress and impacted consumers:

In 2003, the Food Marketing Policy Center research on fluid milk pricing in the Northeast and Pacific Northwest uncovered gouging by supermarket chains. After the demise of the Northeast Dairy Compact, farm prices had plummeted, but retail prices in New England only had declined marginally. The center estimated that milk at $3 per gallon retail in New England supermarkets was $1 above its supply cost for nearly 2 years, hurting farmers as much as consumers. Their research is helping us determine new approaches to fluid milk channel pricing.

Another example: other research done at the center just last year includes work done on food access for low-income consumers, the impact of foot and mouth disease and new approaches to animal health and biosecurity. On the latter point, the center has worked to outline the regulatory inconsistencies between the U.S. and other countries and the impact on the export markets for U.S. beef.

Particularly as we in the subcommittee work to ensure our food supply is safe in the face of an increasing number of new threats and market realities, we understand the need for the best research possible. That is what we get from this center and what we get in return for a very small investment from the USDA via the CSREES program, an investment, I would remind my colleagues, that leverages additional support from academic and industry sources. It is, in fact, a public-private partnership.

I believe we in the Congress have an obligation to hold up our end of the bargain and fund the center. Farmers rely on it, consumers rely on it, public agencies, State legislatures, and even us, even some here in the Congress.

So let's support the center. Let's support getting the best agricultural research that is possible.

Mr. FLAKE. Mr. Chairman, I yield myself such time as I may consume to ask the gentlewoman if she would engage in a colloquy on this.

May I ask how long this program has been in existence?

Ms. DELAURO. Mr. Chairman, if the gentleman will yield, yes, you may ask that question, and if you can give me a second, I will get that information.

Mr. FLAKE. Approximately is fine.

Ms. DELAURO. Just over the last 3 years.

Mr. FLAKE. Has there been a marked improvement in the way we have studied these issues? Didn't we get along just fine before this program existed?

Ms. DELAURO. I just laid out for you the specific incidents. I don't make them up. You can go back and you can check them. But I laid out for you several areas in which the research and the effort has been extremely important and helpful to farmers, to consumers, and to those of us here.

Mr. FLAKE. Mr. Chairman, reclaiming my time, should we not have similar programs for other industries, perhaps have other earmarks to help us analyze the cost of computers?

Ms. DELAURO. Mr. Chairman, if the gentleman will yield further, let me just say to you, that is not the issue at hand here. We are discussing this program. You have concerns about it. I will just say I appreciate your asking questions. I tried to answer the questions, and I think that I have provided, and given a lot more time, I could provide further information about all that this center is doing and how in fact it meets its mission in terms of assisting consumers and farmers and the general public.

Mr. FLAKE. Mr. Chairman, reclaiming my time, I thank the gentlewoman. It makes the point why we have over the past decade increased the number of earmarks by, I believe it is, 872 percent. That is not something as a Republican that I am proud of at all. We had just under 15,000 earmarks in all appropriation bills last year. Who knows where it will go, unless we get a handle on this process.

It simply is wrong for Members of Congress to be able to take an amount of money and designate it for one particular group with no real oversight. As I mentioned, too few of these earmarks can even be challenged like we are challenging these today because you might be ruled out of order because the Federal agency has no record or no idea what the earmark is actually doing. We have a process that is out of control.

Let me mention, as well, we haven't mentioned the other side of earmarks. We have one of our former Members in jail right now for basically selling earmarks. Jack Abramoff reportedly referred to the Appropriations Committee as an ''earmark favor factory.'' Those are his words, not mine.

We have a process that is out of control, nearly 15,000 earmarks. When you have that many, with very little oversight, it is ripe for abuse; and we simply have to change the direction we are going. That is the larger point.

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

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

Mr. Chairman, I come from the State of Joe McCarthy, and he was famous for his use of innuendo. I don't appreciate it when I hear innuendo on this floor from any source.

Let me start this way: my opinion of earmarks is pretty clear. When I was chairman of the Appropriations Committee, for instance, we had no earmarks in the Labor-Health-Education bill. I think the number of earmarks has gotten grotesquely out of hand. I think it is beyond the ability of our staff to police. On that, I agree with the gentleman. But I don't think that we need to drag in a reference to an obscene player in the game like Mr. Abramoff in discussing a specific earmark such as we were discussing 5 minutes ago.

If one is serious about providing oversight on earmarks, then they would not have voted for the budget resolution to begin with, if they were serious about fiscal responsibility, I should say.

If they were serious about fiscal responsibility, they would not pick and choose a few random earmarks to go after on the floor. They would have insisted that this House have systematic reform of earmarks so that, for instance, we go after the big targets, the authorizing committee. The committee that provides highway authorization, for instance.

The mother of all earmarks was the ''bridge to nowhere.'' That wasn't in an appropriation bill. That was in the authorization bill, and that authorization bill last year, the highway bill, had seven times as many earmarks as the relevant appropriation bill, seven times the amount.

If people were serious about going after earmarks, they would go after authorization earmarks. If they were serious about earmarks, they would go after tax bills. The 1981 tax bill was replete with special transition rules for corporations, and every time I would talk to a big businessman who would complain to me about the deficits that Ronald Reagan was building up, I

would say, ''Well, why don't you raise hell about what they are doing in the tax bill?''

''Oh, we can't, because we have got a special transition rule in there and we don't want the committee to take it away,'' they would say.

If you take a look the 1986 tax bill, the same problem. If you take a look at the most recent tax bills, laced with special privileges. And the fact is that those special privileges aren't just 1-year affairs, as a lot of appropriations earmarks are. They continue giving again and again and again, as the TV commercial goes.

So I would say if the gentleman has legitimate objections to specific earmarks, by all means, it is his right to raise that on the floor. But I think if the gentleman wants to be taken seriously on this effort in the House, then he needs to support a systematic and systemic approach, which will reduce the number of earmarks to a number which this House has the capacity to handle.

I don't think that we particularly add to the effort if we just pick and choose on the basis of, say, funny names. I recall once, for instance, when a Senator from will my own State, Bill Proxmire, made fun of an earmark for a research project because it was research on Polish pigs, and everybody laughed about Polish pigs. But the fact is, out of that study came a new blood pressure medicine, which has been used by millions of Americans for years.

□ 1915

So I would suggest there is a constructive way and a not so constructive way to go after earmarks. I would prefer we follow a constructive road.

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

Mr. Chairman, I would agree with the gentleman from Wisconsin on the point about trying to associate Members with activities that are well known throughout this town and throughout this country that were inappropriate.

But, unfortunately, when Members come and lack truth and substance and real meat in their debates, they often times resort to try to take a debate to that level. Anyone who opposes a person on an issue or an amendment in this body, to have them associated with someone who has really done themselves wrong and done the country wrong is really bad form and, in the view of I believe the overwhelming majority of the Members of this House, really uncalled for.

So if there are Members here who want to conduct their debates at that level, it is unfortunate, and we cannot stop them. But, again, I hope that we would conduct this debate at a substantive level. And with that, I would again oppose the amendment strongly.

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

Mr. FLAKE. Mr. Chairman, may I inquire as to how much time there is remaining?

The Acting CHAIRMAN. There is 1 minute remaining.

Mr. FLAKE. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, at no time have I tried to associate anyone here with the actions of the former Member. At no time have I done so. And I apologies if that inference was gained.

But we have a process here that is bad, that there are too few controls. That particular Member was able to get his earmarks through the entire process without being challenged, without one person being able to stand up and say, you know, are those earmarks going for the right purpose, or are they going off for some other purpose?

That is what this earmark battle is about. And I agree with virtually every word said by the gentleman from Wisconsin, and I want to work with him on systemic reform. We got some of that in the lobby reform bill that we passed a few weeks ago. We need far more of it. We need far more than just transparency.

Mr. Chairman, you have got to have accountability as well. This is one part. Being able to challenge earmarks. No Member ought to assume that they can get a project for their district and not ever be challenged on it, to explain what it is about. That is what this debate is about.

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

The amendment was rejected.

AMENDMENT OFFERED BY MR. FLAKE

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

The Acting CHAIRMAN. Without objection, the Clerk will read the amendment.

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. FLAKE:

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 fund research and education activities for greenhouse nurseries in Ohio.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

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

Mr. Chairman, this earmark is a greenhouse nurseries earmark, $726,000 for greenhouse nurseries in Ohio, an increase of $5,000 over last year. This was described as intended to develop marketing plans to showcase this industry that has branded itself as the Maumee Valley Growers.

Mr. Chairman, let me just make the point again. I do not know what else to do here. I have been screaming for 5 years that earmarks are out of control. Yet in that same 5 years, we have doubled, probably quadrupled the number of earmarks that this body has in the appropriations bills every year. I do not know what else will work, what other avenue do rank-and-file Members who are not on the Appropriations Committee have to point out the absurdity of funding some of these items, only to be told, well, do not take this opportunity, challenge it another way.

I would like to see, where? Where do we have the opportunity? Why should we not have the opportunity to stand in this body and challenge the earmarks that Members get? Why should any Member have the opportunity to earmark a certain amount of money for his or her district, or for a particular company or non-profit organization or group of individuals, without being challenged on it?

Where is that right or so-called right that we have to do so? I simply do not see it. And I have looked, believe me, for years for opportunities to say, we are out of control. The gentleman from Wisconsin mentioned, I thank him for doing it. He says we are out of control. There is no way we can police the number of earmarks. There is no way that we can actually have real oversight here.

But if I cannot stand up and challenge these earmarks, what am I to do? What are other rank-and-file Members to do? Where is the forum if not here on the floor of the House?

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

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

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

Mr. BONILLA. Mr. Chairman, once again, it appears that the author of the amendment is seeking to acknowledge some frustration and to quote one of his lines here, I do not know what else to do. Again, I would offer advice to not just this Member but any Member that was seriously concerned about further fiscal responsibility again to emphasize this bill is almost $100 million below last year's bill.

We have cut the number of Member projects in it. We cut discretionary spending again last year. So those of us who are truly trying to make a difference are making a difference. Is it enough? Of course not. But if Members are actually looking for honest roadmaps to success in this area, again, the area of entitlements needs to be addressed.

So I would suggest that any Member who really wants to tackle fiscal responsibility in this area go for it. That would matter. Dealing with a budget process before we get to this point, that would matter. Offering amendments that are substantive again, but that would actually have an effect on spending, whether it goes up or down, that would matter. So, again, to address the frustrations that are being expressed here, those are three clear roads to further fiscal responsibility that I would suggest to any Member who might ask.

But, again, to offer amendments that have nothing to do with cutting a dime out of this bill is useless. And I can understand why the feeling of desperation might occur.

Mr. Chairman, I yield the balance of my time to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Mr. Chairman, I thank the gentleman very much for yielding me time.

Mr. Chairman, as a member of this subcommittee for many years, I would like to point out that everyone of the projects that is included in this bill is carefully monitored and with the proposals being reviewed on campuses before they are submitted to the U.S. Department of Agriculture for funding. Then the U.S. Department of Agriculture reviews each project to be sure that the projects are ones of scientific merit, and research contracts are effectively negotiated between the USDA and the recipient.

And the subcommittee monitors each one of the projects with detailed questions at every hearing. This is the most recent hearing manual with each of the amendments that the gentleman is offering about. There is careful review. There are quarterly reports. There is documentation that is required for every single project.

So I do not quite agree with what the gentleman has said, because it is a contract negotiation and because there is careful review and a lot of projects do not get funded. The gentleman mentioned something about 400 projects. Well, we have 435 Members of this institution.

And we do have a responsibility to the country. There are projects in Arizona. There are projects in Ohio. And we cannot fund everything that we are asked, but we do the best job that we can, and we try and make and build a better country.

So the specifics, the gentleman had a question about I think the greenhouse nurseries projects in Ohio. And I can assure the gentleman that the unsubsidized family farmers of Ohio in this particular industry are competing in a global market. And the work that is being done by several land grant universities, including Ohio State University, Michigan State University, Indiana State University, are trying to help an endangered industry compete against subsidized Canadian production where power in that nation is made available at much cheaper rates.

The power costs of operating these kinds of greenhouses is enormous in the current marketplace. I only wish that our region of the country had what the gentleman has, and that is the Bureau of Land Reclamation, and your subsidized water projects in the west that have literally pulled much of our vegetable production from nonirrigated facilities to the irrigated west.

I wish we had the kind of subsidies the gentleman's region has benefited from. Perhaps because the gentleman lives in a suburb, he does not appreciate what it takes to produce food in our country with the kind of competition that we face.

Now I read in the gentleman's biography that he grew up on a ranch. I sure would like to know if your family benefited from any of those Bureau of Land Management subsidies or any of those Arizona water projects. Maybe the gentleman gets his water from the rain. I do not know. But, you know, other parts of America need to compete, too, and they are not subsidized.

So we hope that our industry will be able to survive. But I would defend any of the projects that have gone through this careful review through the U.S. Department of Agriculture along with many of our land grant institutions.

Mr. Chairman, I would ask the gentleman to take a look in the mirror and to his own State.

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

Mr. Chairman, I would simply point out that one of the amendments I offered is actually to cut funding that goes to my State. I would simply point out again, last year there were more than 10,000 earmarks worth $29 billion. I would say, again, to the average American, that may not seem like much to us, but it seems like a lot to them. It is a lot to all of us.

And as mentioned before, earmarks are the gateway drug to spending addiction. When we get earmarks, it is much easier to vote for other things as well. The gentleman asked why we do not attack some of the other spending and look to entitlement spending.

Twenty-five Republicans voted against the prescription drug benefit. We have worked to limit that program to where we can afford it. We added more unfunded liabilities to Medicare than exist in all of Social Security with that single bill. We voted against it.

We offered alternative legislation. We tried to rally our colleagues to vote against it. What else are we supposed to do there? Here, with these earmarks, what other forum do we have to say, let us cut back somewhere, somewhere. On the road to 10,000 earmarks, cannot we just say, we have gone too far? Can we change this process?

If we are funding, I would submit, greenhouse nursery earmarks, $726,000, we have not scrubbed this bug well enough. And the notion, again, that if we do not spend this money here, it will just get spent elsewhere demeans us as legislators, because it is our duty to actually police how this money is spent. And if it is not going to be spent here, then, again, let's go to the Budget Committee and say, we do not need this big of an allocation.

Let's put it to the war effort. Put it to pay down the debt, somewhere else. But this process, it ought to be authorization, appropriation, oversight. And somehow we have neglected the first two, authorization and oversight. And all we do is appropriate. And then these earmarks, very few of them actually have any oversight, these special research grants, there is some kind of reporting there. But in most of the earmarks, there are not.

As I mentioned, most of the agencies do not even know that these are being funded, or do not even know what the program is, they simply fund them. They do not have the opportunity to exercise oversight there. And we do not certainly exercise the oversight here.

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

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

The amendment was rejected.

AMENDMENT OFFERED BY MR. FLAKE

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

The Acting CHAIRMAN. Without objection, the Clerk will read the amendment.

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. FLAKE:

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 fund aquaculture in Ohio.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

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

Mr. Chairman, the goal of this project, the aquaculture in Ohio earmark, is to foster the development of a statewide aquaculture industry in Ohio.

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Again, I have to ask the threshold question here: Where is the Federal nexus? Why are we taking taxpayer funds from someone in Maine and putting it here in aquaculture in Ohio? How do we make that leap that it is our responsibility as legislators to do that?

Again, we can save this money. This money does not have to be spent. All we have to do is say change our allocation. Give less money. We can take some $400 million we are spending in Member earmarks and pay down the debt, fund the war effort, anything else but these earmarks, I would submit.

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

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

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

Mr. BONILLA. Mr. Chairman, I yield 2 minutes to the gentleman from Idaho (Mr. SIMPSON) to begin the debate for those opposed.

Mr. SIMPSON. Mr. Chairman, while I do not want to respond to this specific project, I do want to respond to what

the gentleman from Arizona talked about just a little bit ago. He mentioned 10,000 earmarks and $29 billion last year. And he seeks to reduce the spending because somehow I guess the implication is that that $29 billion is wasteful spending. What that is is $29 billion that Congress has directed how it is going to be spent and not the administration.

When the administration proposes a budget, it is a recommendation that comes to Congress. It is full of earmarks. Administration earmarks. Earmarks that they believe how the money should be spent. Congress in their budget process, in their hearing process, in the Appropriations Committee make certain determinations. Some of them, in fact, most of them are that the administration's requests are appropriate. Sometimes we disagree with them. We say spending ought to be done somewhere else. We have different priorities. Those are called earmarks. I call them congressionally directed spending.

To tell you the truth, I wish we congressionally directed all of the spending. Remember, the President just makes recommendations. It is this Congress's responsibility to determine where the spending is going to go and to tell an administration or an agency that some of this money, a very, very small percentage of it is going to be spent in certain projects that we think are important, at least a majority here do, I think is our role. And to suggest that all $29 billion or 10,000 earmarks, whatever the amount was, is wasteful spending is to mislead the American people.

Are there some wasteful things in there? Sure. But if you think giving the money just to the administration to determine how it ought to be spent rather than Congress directing it, all of the sudden it is going to be spent appropriately, then I want to know why there are 10,000 trailers sitting in Hope, Arkansas.

The administration can waste money just like Congress can. Sure, there is some spending in there that we would all say is inappropriate, but that is our job to get after it.

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

I thank the gentleman for making those points. They are good ones. We have failed in our oversight function. But I would submit it is very difficult to criticize the Department of Defense for not buying sufficient body armor, for example, when we have instructed them with an earmark to spend more than a million dollars on a museum in New York with a congressional earmark, with a Member earmark. So we demean our role in oversight of the Federal agencies when we have instructed and stipulated that spending be on aquaculture in Ohio.

It is very difficult to, with a straight face, tell the agencies you are misspending the taxpayers money when we are doing this. So we have a process that is a great process. This was set up right in this country. Authorization, appropriations, oversight. If we do not like the way the President is submitting his budgets or his recommendations, then in authorizing bills, let's say don't do that; these are the only programs that we are going to authorize.

The trailers that ended up in Arkansas, I could not agree more. That was our mistake for giving $12 billion up front to FEMA. We should have said, let's have smaller trounces. Come every week and justify what you have done. Some of us recommended doing that. But it was not accepted, and we ended up with trailers in fields that are still in Arkansas. So we have a process. We need to follow it. We need to get back to it. That is what we are recommending here.

Some people point out that earmarks have been around as long as Congress has, and I suppose that is true to some extent. But everyone knows, over the last decade in particular, we have simply gone hog wild with earmarks. We simply have to get this process under control.

As the gentleman from Wisconsin pointed out again, we simply do not have enough staff to police this. We are out of control and if not to stand up here and challenge earmarks, I am at my wits' end. I do not know what else to do. I am frustrated. I am frustrated. I think a lot of us are. I know the taxpayers are. So that is why we are going through this process today.

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

Mr. BONILLA. Mr. Chairman, I yield 2 minutes to the distinguished, hardworking gentlewoman from Ohio (Mrs. SCHMIDT).

Mrs. SCHMIDT. Mr. Chairman, I rise today in opposition to this amendment. Aquaculture is becoming a burgeoning industry in my State. Ohio aquaculture has grown 17 percent in the last year alone.

Ohio State University, Ohio's land grant university, has been conducting this vital research in my district to most importantly help Ohio's tobacco farmers transition to new crops, and that is important that we find ways for Ohio's tobacco farmers to transition to new crops or otherwise those farmers will find themselves unable to continue to be farmers in Ohio.

This funding is not just important to my district. It is essential to the aquacultural research in all of Ohio through a state-wide aquacultural extension program. This funding is well spent, and it produces real dividends for Ohio farmers. A few years ago I got to witness one of the farms that actually participated in this research, a tobacco farmer that now raises shrimp and is making money off raising shrimp in Ohio.

I am a conservative and a fiscal conservative, and I do not like to spend people's money, but I do understand the importance of this kind of economic research for Ohio's farmers and Ohio's folks.

Mr. BONILLA. Mr. Chairman, I yield the balance of my time to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Mr. Chairman, I thank the gentleman for yielding me time. I would like to join my dear colleague from Ohio (Mrs. SCHMIDT) in saying that aquaculture is a growing business in Ohio. We want to keep all of our communities competitive.

I would say to the gentleman from Arizona, Ohio is really a shrimp in this. Arizona has a $4.2 million aquaculture designation in this bill. So we are really a shrimp compared to Arizona with your subsidized water and your Bureau of Land Reclamation incentives for your folks out there.

But I can tell you, when I was born we had 146 million people in this country. Today we have 300 million. The oceans are half depleted in fish. And the Great Lakes are in great competition with Canada. We have to put caps on what our commercial fishermen can fish. And this project has resulted in a 30 percent increase in juvenile perch, one of the most desired fish in the region. So we need more fish. The oceans are not providing. We have to do our job here. Life is important. Being competitive in the international aquaculture environment is important. And the gentleman's own State, though it costs more to do it there because you have all those irrigation costs, we are trying to do it using fresh water. I think this is a wonderful investment by the American people in their own self-interest.

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

The amendment was rejected.

AMENDMENT OFFERED BY MR. FLAKE

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

The Acting CHAIRMAN. Without objection, the Clerk will read the amendment.

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. FLAKE:

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 fund the Hydroponic Tomato Production, Ohio grant.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

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

I thank the Chair for his and this body's indulgence.

This is a hydroponic tomato production earmark that we are challenging here. Again, let me make the broader point, what business is it of the Federal Government to pick winners and losers in the economy, to decide that

we ought to be promoting hydroponic tomato production earmarks instead of promoting the cherry tomato or grape tomato or others out there that any Member could get an earmark for? Why is it this is important and the others are not?

We as legislators have to decide how we are going to husband the Nation's resources. I would submit that when we have 10,000 earmarks a year or more and when we are growing it at a rate of 872 percent over the last 10 years, at some point, I do not know where that point is, maybe it is with hydroponic tomatoes, some point we have got to take a stand and say enough is enough. We simply cannot continue spending money like this.

Again, let me just point out the notion that we cannot cut spending, that this money if it is not going to be spent here it will just be spent somewhere else by the administration is false. We can spend less. We can cut our own spending. We can cut our own allocations and say we simply do not need to spend this much money.

Again, we are not potted plants here. We are legislators. We are here to make these decisions. I would submit that when we are spending $180,000 on hydroponic tomatoes that something has gone awry and we have lost our focus. That is what this debate is about.

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

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

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

Mr. BONILLA. Mr. Chairman, historically when Members target projects in this body, everybody understands the game. When you talk about tomatoes and aquaculture and programs that have names that do not immediately jump out to people with a true purpose, the press releases go out, the media circles when you walk out of the House Chamber, and there you have your name in the paper as a great slayer of funding programs.

But again, the hard work when you talk about fiscal conservatism as we have again last year cutting spending, trimming this bill down almost $100 million, cutting back on the Member requests, all of those things, that is the work that is done in the trenches day in and day out.

So, again, we all realize in this body what makes a headline. So if you make fun of the tomato and you make fun of the research project that is in a particular State, more power to you. But I think for the most part we are going to find that the Members of this body understand that again there is not a single dime that is going to be cut out of this amendment. True reform comes from the kind of work in the trenches that I have been suggesting, entitlement reform, budget reform, those are the processes that really matter. Or again, in the end, amendments that actually make a difference in terms of spending or cutting the budget.

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

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

Mr. Chairman, in response I would simply say I reject the premise that we cannot cut spending. This notion again that we will not save anybody by getting rid of earmarks. It is valid. This isn't a debate in a vacuum that really does not matter. If we reform the way we do earmarks, we will save significant money. I do not know about you, but $29 billion seems like a lot to me, $29 billion last year in appropriation earmarks. That is a lot of money. It adds up. A billion here and a billion there, soon enough you have got real money.

So this notion that we cannot save and we are just throwing out a couple of names here, I would like to bring all 450 Member earmarks to the floor that were in this bill. Simply we do not have the time and we do not have the patience and I understand that. But how else can we highlight this? What other forum do we have? Believe me, if it is there we have used it. We have got to start somewhere. I think we have got to make a stand.

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

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

Mr. Chairman, I would say to the gentleman who is offering this amendment directly, it is not that we cannot cut spending, because we have. The issue here is that he cannot cut spending with any of the amendments that he is proposing. So, again, I do not know how much more clearly I could say that or any other Member of this body.

Mr. Chairman, I yield 1 minute to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Mr. Chairman, I would just like to put on the record that the State of Ohio used to be one of the leading tomato-growing States in the Nation until subsidized western water, and we lost our industry to the West.

Now, Arizona is one of the most irrigated States in the country. You are draining water that is never going to come back. And yet I look at our part of the country that has to fight for such a small part of the market right now. I would just ask the gentleman, I would love to look at the type of subsidies that attend to your agriculture in Arizona from major government agencies that do not come to Ohio farmers.

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We are trying to maintain a very small market share. Hydroponic production is one of the ways in which we are successfully doing it, but I would just beg for the gentleman to take a look at what has really happened to the movement of agriculture. One State in the Union now produces over half the fruits and vegetables in the country, most of it irrigated. Ohioans have a right to compete in this market.

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

To the gentlewoman's points, we do in Arizona get subsidies. We should not, particularly with cotton. Cotton is very water intensive. We receive subsidies in cotton in many ways, particularly through the farm bill. I would ask you, please join me in opposing the farm bill next year. We will have an extension of the farm bill perhaps this year. Please join me in opposing it for subsidizing far too much as well.

We are spending too much money. It is not just in earmarks here, but it is other areas as well, but if we say we are not going to cut it in earmarks or other ways, where do we cut it? That is why our budget is simply growing and growing.

Ms. KAPTUR. Mr. Chairman, will the gentleman yield?

Mr. FLAKE. I yield to the gentlewoman from Ohio.

Ms. KAPTUR. Mr. Chairman, I just want to say this may be the first year America imports more food than she exports. This is not just a problem inside the borders of the United States. We have to keep our agriculture alive in this country, and it is becoming more and more difficult every year because of what is happening in the global economy and subsidies that are out there in other countries. Thank you for yielding.

Mr. FLAKE. Mr. Chairman, reclaiming my time, I thank the gentlewoman for that point.

We do have a problem entering into free trade agreements because we subsidize our agriculture so much. It is complicating the Doha round right now. We are limiting the markets that we can sell into because of our own subsidies.

The country of New Zealand a few years ago thought they could never get away from agriculture subsidies. They just up and said one day, we are not going to do it anymore; we cannot afford to anymore. People predicted that their agriculture would drop considerably. It has not. They have thrived. If we simply trust in the market here and let the market take over, we would be far better off.

But in this point, again, I would make the point, we can save money here. Earmarks are costing us a whale of a lot of money, not just because of the money in the earmarks themselves, but in the amount of funding that they leverage elsewhere because when you have an earmark in an appropriations bill, you had better not vote against that appropriations bill or you might see your earmark vanish. So it is not just the money in the earmarks, it is the money that is leveraged.

The CHAIRMAN. The gentleman's time has expired.

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

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

Mr. Chairman, I was not going to say anything on this point until the gentleman made his last remark about people taking earmarks away if they do not vote for a bill.

I do not recall a single Member of the majority party helping me when, 2 years ago, I urged Democrats to vote against the Labor, Health and Education bill because it was grossly insufficient to meet our education and health care and science needs. I well recall when the Republican Appropriations Subcommittee chairman announced to his entire caucus that, because not a single Democrat voted for that inadequate Labor bill, that no Democrat was going to get a project.

I am proud of the fact that Democrats stuck against that bill anyway because we saw our duty as requiring us to oppose that bill because it put cuts for millionaires ahead of increasing the Pell Grant for kids trying to go to college. They put tax cuts for millionaires ahead of funding health professions training. They put tax cuts for millionaires ahead of worker protection programs.

So I would simply say, I welcome the gentleman's finally saying tonight that it is improper for earmarks to be used as internal blackmail. I just wish he had spoken up when we actually faced that issue 2 years ago.

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

Mr. OBEY. I yield to the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, the bill that you mention is a perfect example. We do not need earmarks like this. We knocked all the earmarks out. We survived just fine. Members survived just fine. They were reelected. They came back. That was the only Labor-HHS bill I have ever voted for because it did not have earmarks. We finally got it right. We ought to continue it.

Mr. OBEY. Mr. Chairman, well, with all due respect, the issue before us tonight is not what happened to past appropriations bills. The issue is whether or not, since the gentleman has chosen to take on these particular earmarks, the issue is whether or not the earmark in question merits support or not.

I recognize the gentleman is trying to do what Otto Passman when he ran the Foreign Aid Committee, which is to offer amendments for illustrative purposes, but the fact is, tonight the House is not going to be making judgments on whether there should or should not be earmarks. The House, under procedures tonight, is simply being asked to make a judgment about whether a specific earmark is meritorious or not, and I would hope that that is the basis upon which they would cast their votes.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

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

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

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

AMENDMENT OFFERED BY MR. FLAKE

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

The CHAIRMAN. Without objection, the Clerk will read the amendment.

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. FLAKE:

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 fund the Wood Utilization grant.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, the committee has provided $6,371,000 to provide science that addresses problems with harvesting, transportation, manufacturing and marketing of economical forest products. For all the talk about, we are cutting too much timber and we are doing too much of this, to provide this kind of subsidy for research on how to do it just seems to me out of line.

Let me just point out, some of these earmarks we have been talking about have been just a few hundred thousand dollars, not that that is small money, but this one is $6 million. If we looked since 1985, this program is the wood utilization program that received Federal funds in excess of $86 million. So it goes on and on and on.

This earmark was not included in the President's request. The United States is the world's largest producer of lumber and wood products used in residential construction and in commercial wood products such as furniture and containers. The United States is also the leader in the pulp and paper business, producing about 34 percent of the world's pulp and 29 percent of the world's output in paper and paper board.

The forest products industries is a strong contributor to the Nation's economy, employing close to 1.3 million people in all regions of the country, ranking among the top 10 manufacturing industries in 46 States. Why in the world do we need to be spending over $6 million a year to talk about wood utilization? Again, let me repeat: The United States is the leader in pulp and paper business, producing 34 percent of the world's pulp, 29 percent of the world's output in paper and paper board, employs more than 1.3 million in all regions of the country, among the top 10 manufacturing industries in 46 States. Yet, we need a program that one of its goals is funding also goes towards educating graduate students to be knowledgeable in wood as a renewable resource?

Now, we have been doing this program since 1985. I think wood has been around a lot longer than that. I think people know what a valuable resource it is. I do not think we need to be spending $6 million more in taxpayer money again this year to educate graduate students in wood as a renewable research.

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

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

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

Mr. KINGSTON. Mr. Chairman, I yield 3 minutes to the gentleman from Idaho (Mr. SIMPSON).

Mr. SIMPSON. Mr. Chairman, I thank the gentleman for yielding.

Let me first say, the gentleman from Arizona has every right to do exactly what he is doing. I believe he is sincere in his efforts, and he is right, we are not potted plants. We are elected representatives. The funny thing about democracy is a majority has a tendency to rule, and if the gentleman offers something and a majority vote against him, then they have obviously supported what he does not. That is the way the process works.

I do not ask for congressionally directed spending that I cannot justify. In fact, not all of the congressionally directed spending that I have requested is for projects in my district. Some of them are in other districts for things that I think are important. One of them is the wood utilization program. In fact, I post all of the congressionally directed spending that I have had part in obtaining on my Web site. I want my constituents to be able to see it, and I tell them if they think there is anything in there that is wasteful, that we should not be spending on, to call me and talk to me and let me know.

In fact, I entered in the RECORD earlier today on this bill all of the projects that I had had any part in directing the congressional spending on so the people could see them, and I have put in the justification for them that I felt.

The gentleman said that the Labor-HHS bill last year was the only one we got right, and I would only ask, you know, by putting no congressionally directed spending in there, who knows their districts better, who knows the needs of their constituents better, bureaucrats in Washington, D.C., or the people they elect to Congress? To suggest the only reason we put them in there is to gain the votes of a majority of this place to pass a bill, is wrong. To suggest that every congressionally directed spending earmark, as you would say, is wasteful, is wrong.

Now, with the wood utilization program, I want to show you a list, and I will not enter it into the journal because it would take up too much paper, these are the saw mills that have closed since 1998. You can go through here: Alabama; geez, California's had

so many, It is something like 98; Georgia, 18; Idaho, 17; Arizona, 17; Louisiana, 24; Oregon 218. These are the saw mills that have closed since 1998 because we have stopped using and cutting timber.

Because of the Healthy Forest Initiative and because of fire suppression in the past, we have got a lot of stands that are small diameter timber. The days of cutting the old-growth, large trees are pretty much gone. We have to learn how to use small diameter timber, and that is what a lot of how this program is for, is how do we effectively use small diameter timber?

The research that is being done in these programs at I guess 11 different State universities that receive this funding are to help the industry develop products that are used today with the small diameter timber, and there are wood byproducts that occur.

To me, that is an appropriate use of congressional spending, and so I support it and I justify it, and we will see if the majority agrees with you or me.

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

Mr. Chairman, I will repeat again, I think that congressional earmarking has gotten way out of hand, but having said that, I want to challenge the idea that somehow every project that is funded by an agency downtown is pure, and every project selected for funding by a Member of Congress is impure.

I want to give you one example. A few years ago, when Mitch Daniels was still head of OMB, he put out his so-called pork list, and leading the list in an attempt to embarrass me was an attack on a wind sled which I had gotten for Ashland and Bayfield in my district on the shores of Lake Superior.

□ 2000

That water is cold; 40 degrees in the summertime. And the OMB decided that they were going to try to trumpet this project and being an illegitimate use of taxpayer funds, so they described what was wrong with it in their OMB booklet.

There was only one problem. They had the wrong wind sled, they had the wrong model, and they described it as being a pleasure craft. In fact, here is why I got the money for the wind sled in that budget: because the local sheriff called me and told me that he had seen a young boy drown in Lake Superior who went through the ice, and the old device which they had to try to rescue the boy simply did not work. So this boy's parents stood on the shore watching their son drown just 30 or 40 feet away and they could not reach him and neither could anybody else.

So the sheriff asked me if I could please get enough funds to help them provide a decent rescue vehicle for that area, and I got the wind sled, and I am proud I did. And I think that I knew a whole lot more about the facts than the head of OMB sitting on high in his office who was simply trying to skewer a Congressman from the other party, not having the foggiest idea of why we got it or what it was for.

Now, I certainly don't defend every earmark. I have attacked a number of them in my years in this Congress. But if you are going to go after an earmark, it would be useful if you knew enough about it to judge whether or not it is a decent use of taxpayers' money or not. And I can tell you that most of the attacks I have heard on this floor over the past 15 or 20 years have not measured up in terms of knowing what they were talking about.

So I just wanted to tell that little story to illustrate that I agree with the gentleman from Idaho that all of the wisdom in government is not deposited in the agencies. And I would point out that in many instances what you have in an agency is some political appointee sitting down there deciding on project after project after project who is going to get the money, and it is not on the merits; it is on the basis of who has a connection and who has an angle. The only difference is, their process is a whole lot more invisible than the process is up on the Hill.

We ought to have improvements in the process. And if we are in the majority and if I am chairman of the Appropriations Committee, I guarantee you there is going to be a lot more discipline than there is today. But having said that, I do not think it is fair to simply pick out these projects and then move to a generalization that somehow the executive branch is always more qualified to decide what ought to happen in each congressional district.

If we aren't qualified to know at least as much about that as the anonymous bureaucrats downtown, then we indeed don't belong here.

Mr. FLAKE. Mr. Chairman, I yield 1 minute of my time to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Mr. Chairman, I appreciate the gentleman's courtesy, since we are on opposite sides in this debate this evening. But I wanted to follow on something Mr. OBEY said, because I used to work for a former President in the United States and I understand quite a bit about the way OMB operates.

One of the most shocking things I learned as a White House staff member was that you might have somebody in front of you who was the OMB examiner on agriculture this year, and then next year they switch that person to defense or switch them out to another agency, and you find out they do not know the details about anything.

I was shocked that the defense examiners at OMB have nowhere near the experience that the Members of this institution do, and this is really where historical memory and where experience in detail rests.

So I would agree with the gentleman from Wisconsin, we need a lot more sunlight over there on the executive side. We have total sunlight over here. And I have a totally different impression of the OMB as a former White House staff member than I ever did before, when I used to hold them in very high esteem until I realized they did not know the details of many programs. They just shifted them around, and they did not have the kinds of commitment and depth of knowledge that Members of Congress do.

Mr. KINGSTON. Mr. Chairman, I yield 2 minutes to the gentleman from Maine (Mr. ALLEN).

Mr. ALLEN. Mr. Chairman, I thank the gentleman for yielding.

I believe the gentleman from Arizona is really looking for savings in all the wrong places. To take just one example, the Medicare Advisory Commission has pointed out there is $50 billion, with a B, $50 billion in overpayments to Medicare Advantage, HMOs, and PPOs that could easily be drawn back. So that $50 billion is one place to look.

But these funds for scientific research are critically important, and I wanted to describe at the University of Maine the wood utilization project that has been going on there for some significant period of time. It has had a significant effect in the spinoffs of businesses, because the wood composite program, the research that has been done there, married to fiberglass technology and other forms of plastics that I don't understand, has led to a variety of new projects.

I really disagree with the gentleman from Arizona. The public sector and the private sector in this country are intertwined, for good or ill sometimes. But this is a case where we are generating economic development that is very important. I would go beyond that and say with this particular project at the University of Maine, you haven't yet heard about all they are doing, but they are basically making products for the Coast Guard and for the Army that will materially strengthen the ability of our military at home and around the globe.

They have developed a lightweight bridge that is easily transported because it is using these composite materials. And you haven't heard the concept yet of up-armored tents, but that is the next product line. It is going to make our tents in Iraq much safer than they ever have been from IEDs or incoming mortars.

I think it is wrong to all too quickly decide that these research projects, like the one we are discussing today, don't have economic spinoffs or, in this case, security spinoffs that are fundamentally important to this country.

With that, I urge the defeat of the amendment.

Mr. FLAKE. Mr. Chairman, I want to just say to the gentleman from Idaho that I appreciate working with him in this process to reform the earmark process. His insights as a member of the Appropriation Committee have been valuable, and he has agreed that it is a good thing to have Members' names attached to these earmarks.

When people wonder why we are seeking this process now and how we

are to provide oversight, I can tell you that with 450 earmarks in this bill, not one name was attached. That is why it has been a great process here today to see some of the authors, the sponsors of the earmarks come to the floor; otherwise, we wouldn't have known, unless you can find it in a press release somewhere, that they sponsored this legislation.

We are looking for sunlight here. We would like to provide oversight, but it is difficult when we don't even know. We got the report last week. How are we supposed to scrub this?

Let me also say that the executive branch doesn't always spend it wisely. All you have to do is drive through the fields of Arkansas and see those trailers and realize they bungle it often. What I am saying is that we diminish our credibility as those conducting oversight when we insert stipulations like this, when we say you have got to spend money on the Punxsutawney Weather Museum in Pennsylvania, or we have to spend $6 million on wood utilization that we have been doing for almost 20 years and we never seem to get out of.

We diminish our role as the conductors of oversight when we so trivialize this process and ignore the authorization and the oversight function.

Mr. Chairman, I yield back.

The CHAIRMAN. All time having expired, the question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The amendment was rejected.

AMENDMENT OFFERED BY MR. FLAKE

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

The CHAIRMAN. Without objection, the Clerk will read the amendment.

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. FLAKE:

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 fund the National Grape and Wine Initiative.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

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

Again, this is another example of the Federal Government funding a program that can and is funded by the private sector. I should note here the vision of the initiative says: ''By 2020, the American grape and wine industry will triple its economic impact and become the undisputed world leader in consumer value and sustainability. The target is an economic impact of $150 billion within 16 years. This is based on a conservative estimate of current annual impact of approximately $50 billion a year.''

I would submit that if an industry out there has a $50 billion-a-year impact on the economy, $50 billion, then the Congress need not spend $250,000 for strategic research and a plan to enhance the grape industry's competitiveness and contribution to the U.S. economy.

I can tell you what the contribution is to the U.S. economy. We have been told. It is about $50 billion a year. Yet here we are spending $250,000 for strategic research to enhance the grape industry's competitiveness and contribution.

Again, if we are going to get control on spending, we have to start somewhere. I would submit this is a great place to start.

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

Mr. KINGSTON. Mr. Chairman, I claim the time in opposition, and I yield 2 minutes to the gentleman from California (Mr. THOMPSON).

Mr. THOMPSON of California. Mr. Chairman, I thank the gentleman for yielding, and I rise in opposition to this amendment and in support of this initiative.

The grape industry is very, very important to the country, as the gentleman noted; but this program is also very important to the grape industry and to the consumers across this country. Grapes are the sixth largest crop in the United States and the largest specialty crop in the United States.

In the past, wine, wine grapes, raisins, table grapes, and the grape juice industry have all competed for Federal funds. This is funding that does work in regard to pest control and in research for health issues that are important to the American people. Because of this competition factor in the past, oftentimes those funds were spent in ways that were duplicative and were uncoordinated. That is not healthy for the taxpayers, for the industry, or for the American people.

With this initiative, all of those aforementioned industries have come together to ensure that the funding would be coordinated and it would be focused. It would be focused to work to benefit not only all of these industries but all of the American people. Again, this is in research for health care, for health issues, and for pest control.

An example: at UC Davis, some of the work they have been doing under this program has led to some incredibly good developments in combating diabetes. If this amendment were accepted, that program would go away and all of this work would be lost. We shouldn't reduce the funding in this program, and we should all vote against the gentleman's amendment.

Mr. FLAKE. Mr. Chairman, I would simply make the point again: a $50 billion industry I think probably has the means at its disposal to fund this kind of research that we are talking about and could perhaps fill the void.

A $50 billion industry could fill the void of $250,000 that is given back to the taxpayers or spent in another area. If you can find a definition of corporate welfare in the dictionary, this would probably be it. A $50 billion industry, and yet we are giving them $250,000 to have research carried out to enhance the industry's competitiveness and contribution to the U.S. economy.

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

Mr. KINGSTON. Mr. Chairman, I want to say this, and I appreciate what the gentleman from Arizona is doing, because I think that we all need to be accountable for anything that is in the bill or anything we vote on. One of my gripes with the other body is that they keep things in committee, and it is an incumbent protection system.

□ 2015

So I think having the opportunity to come down here and debate and fight for what we believe is important.

I want to point out, last year, our budget passed in the final version out of conference committee 212–214. That is a two-vote margin. So if you put more spending in the budget, it probably would not have passed. If you put less spending in the budget, it probably would not have passed also. It truly was a balance between those who wanted to spend more and those who wanted to spend less. And there are a lot who want to spend less.

However, politics is the reality of the possible or the passable. What you have sometimes is budgets that are hard to justify. I remember Mr. OBEY telling a good story about something called the soldier fly. Down in the area I represent, there is a lot of agriculture. There are a lot of chicken growers, and chicken growers have chickens in hen houses. But, unfortunately, or fortunately, in a lot of rural areas, it has turned urban. And what do chickens have? Chickens have flies. They have blue flies. People build houses, and then the first thing they do is complain about the flies coming from the chicken houses. And the farmers were there first, but it does not matter.

Well, enter the soldier fly. The soldier fly comes in, Mr. Chairman, like a big hero and eats the blue flies; solves the problems for the farmer, solves the problem for the homeowners in rural areas. And this is a big economic issue, getting rid of the flies in chicken houses.

Well, we want to know, what can you do to foster more soldier flies? And so you study soldier flies. It is a nontoxic way to take care of pollution, but of course, it is great fodder for Reader's Digest to say they are studying the mating habits of soldier flies, which is not necessarily true.

But having the opportunity to come out here, and it was not an earmark, but to come out here and have an opportunity to debate things is good. I think it is a healthy exercise. But I want to say this as a committee member: When things are in the budget, and this budget, as you know, is down 8 percent from last year and that Member priorities are down $35 million, you

are under budget. And what somebody in California agriculture or somebody from Ohio agriculture supports may be different from what people in, say, Georgia support. But the overall goal is within the budget.

This year we have only passed a budget on the House side by a mere I believe 7 or 6 votes. So we are all walking that balance.

But I want to say I urge a ''no'' vote on this amendment, but I do like this process. I also want to say on behalf of the Appropriations Committee members, we do favor earmark reform. But we also believe when you have things like the Bridge to Nowhere that don't come from an appropriation bill, you have to open up the process to all of the other committees as well.

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

Mr. FLAKE. Mr. Chairman, I yield myself the balance of my time.

I want to thank Members for their indulgence. I know it is not easy to sit through so many amendments in a row. I appreciated this process, for one actually to see and hear people defend their earmark on the floor. That is something which has been missing. As I mentioned, you see 415 projects in the report; no description really of them, and no Members' name attached. You could not call them and ask, what is this about? So the only way you can do that is come to the floor and do what we just did.

I would submit that we need to do a lot more of it, and we need to get back to authorization, appropriation and oversight. Let me say again, when we are spending money like this, then we seem to have money to throw around, and I would submit that the average taxpayer in California or Oregon or Arizona or anywhere would look at this and say, why are we taking my hard-earned money and spending it to give $250,000 to the grape and wine industry that means about $50 billion to the U.S. economy? That is not a prudent use of taxpayer resources.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

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

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

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

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

Amendment by Mr. GARRETT of New Jersey.

Amendment by Mr. FLAKE of Arizona regarding dairy education.

Amendment by Mr. FLAKE of Arizona regarding hydroponic tomato production.

Amendment by Mr. FLAKE of Arizona regarding grape and wine initiative.

Pursuant to the order of the House of today, the Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MR. GARRETT OF NEW JERSEY

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from New Jersey (Mr. GARRETT) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 266, noes 153, not voting 13, as follows:

[Roll No. 189]

AYES—266

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Berkley
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (TX)
Brown (SC)
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Case
Castle
Chabot
Chandler
Chocola
Coble
Cole (OK)
Conaway
Cooper
Cramer
Crenshaw
Cubin
Culberson
Davis (CA)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
Dent
Doolittle
Drake
Dreier
Duncan
Edwards
Emerson
English (PA)
Etheridge
Everett
Feeney
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Hobson
Hoekstra
Holden
Hooley
Hostettler
Hulshof
Hyde
Inglis (SC)
Istook
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kelly
Kennedy (MN)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Lynch
Mack
Manzullo
Marchant
Marshall
Matheson
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris
Melancon
Mica
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Mollohan
Moore (KS)
Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Osborne
Otter
Oxley
Paul
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ross
Royce
Ryan (WI)
Ryun (KS)
Sabo
Saxton
Schmidt
Schwarz (MI)
Scott (GA)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (TX)
Sodrel
Souder
Spratt
Stearns
Sullivan
Sweeney
Tancredo
Tanner
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thornberry
Tiahrt
Tiberi
Tierney
Turner
Upton
Visclosky
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOES—153

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Becerra
Berman
Bishop (NY)
Blumenauer
Brady (PA)
Brown (OH)
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Clay
Cleaver
Clyburn
Conyers
Costa
Costello
Crowley
Cuellar
Cummings
Davis (AL)
Davis (IL)
DeGette
Delahunt
DeLauro
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doyle
Ehlers
Emanuel
Engel
Eshoo
Farr
Fattah
Ferguson
Filner
Fitzpatrick (PA)
Frank (MA)
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Higgins
Hinchey
Hinojosa
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson, E. B.
Jones (OH)
Kaptur
Kildee
Kilpatrick (MI)
Kucinich
Langevin
Lantos
Larsen (WA)
Leach
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Maloney
Markey
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Michaud
Millender-McDonald
Miller, George
Moore (WI)
Moran (VA)
Nadler
Napolitano
Neal (MA)
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Pelosi
Porter
Rangel
Reyes
Ros-Lehtinen
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (VA)
Serrano
Sherman
Slaughter
Smith (NJ)
Smith (WA)
Solis
Stark
Strickland
Stupak
Tauscher
Thompson (MS)
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—13

Brown, Corrine
Brown-Waite, Ginny
Davis (FL)
DeLay
Evans
Hunter
Issa
Jefferson
Kennedy (RI)
Larson (CT)
Payne
Snyder
Taylor (NC)

□ 2046

Ms. ROYBAL-ALLARD and Messrs. BRADY of Pennsylvania, MEEK of

Florida, FATTAH and GUTIERREZ changed their vote from ''aye'' to ''no.''

Mrs. DAVIS of California and Ms. HOOLEY and Messrs. LAHOOD, COOPER, KIND, GERLACH, POMEROY and LYNCH changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Ms. GINNY BROWN-WAITE of Florida. Mr. Chairman, on rollcall No. 189 my card did not register for the second time. I voted "aye" but it did not register.

AMENDMENT OFFERED BY MR. FLAKE

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) regarding dairy education on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 92, noes 325, not voting 15, as follows:

[Roll No. 190]

AYES—92

Akin
Andrews
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Bean
Bilirakis
Blackburn
Blumenauer
Bradley (NH)
Brown (SC)
Brown-Waite, Ginny
Buyer
Campbell (CA)
Castle
Chabot
Chocola
Coble
Cooper
Cubin
Davis, Jo Ann
Davis, Tom
Deal (GA)
Doggett
Duncan
Ehlers
Eshoo
Everett
Feeney
Ferguson
Flake
Ford
Fossella
Frank (MA)
Franks (AZ)
Garrett (NJ)
Gibbons
Gingrey
Green (WI)
Gutknecht
Harris
Hayworth
Hefley
Hensarling
Holt
Inglis (SC)
Jindal
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kline
Lewis (KY)
Lofgren, Zoe
Mack
Marchant
Matheson
McHenry
Meehan
Miller (FL)
Miller, Gary
Myrick
Norwood
Otter
Owens
Pallone
Paul
Pence
Petri
Pitts
Platts
Poe
Price (GA)
Ramstad
Rohrabacher
Royce
Ryan (WI)
Sensenbrenner
Sessions
Shadegg
Shaw
Smith (WA)
Stearns
Sullivan
Tancredo
Tiberi
Udall (CO)
Van Hollen
Westmoreland
Whitfield

NOES—325

Abercrombie
Aderholt
Alexander
Allen
Baca
Bachus
Baird
Baker
Baldwin
Barrow
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Brown (OH)
Burgess
Burton (IN)
Butterfield
Calvert
Camp (MI)
Cannon
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Chandler
Clay
Cleaver
Clyburn
Cole (OK)
Conaway
Conyers
Costa
Costello
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doolittle
Doyle
Drake
Dreier
Edwards
Emanuel
Emerson
Engel
English (PA)
Etheridge
Farr
Fattah
Filner
Fitzpatrick (PA)
Foley
Forbes
Fortenberry
Foxx
Frelinghuysen
Gallegly
Gerlach
Gilchrest
Gillmor
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Herger
Herseth
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hyde
Inslee
Israel
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Lowey
Lucas
Lungren, Daniel E.
Lynch
Maloney
Manzullo
Markey
Marshall
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McKinney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (MI)
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Oxley
Pascrell
Pastor
Pearce
Pelosi
Peterson (MN)
Peterson (PA)
Pickering
Pombo
Pomeroy
Porter
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Serrano
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Sodrel
Solis
Souder
Spratt
Stark
Strickland
Stupak
Sweeney
Tanner
Tauscher
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tierney
Towns
Turner
Udall (NM)
Upton
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—15

Ackerman
Brown, Corrine
Cantor
Davis (FL)
Evans
Higgins
Hunter
Issa
Jefferson
Kennedy (RI)
Larson (CT)
McMorris
Payne
Snyder
Taylor (NC)

□ 2050

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. FLAKE

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) regarding hydroponic tomato production on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 90, noes 328, not voting 14, as follows:

[Roll No. 191]

AYES—90

Akin
Barrett (SC)
Bartlett (MD)
Bass
Bean
Beauprez
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blumenauer
Bradley (NH)
Brown (SC)
Brown-Waite, Ginny
Burton (IN)
Buyer
Campbell (CA)
Chabot
Chocola
Coble
Cooper
Cubin
Davis, Jo Ann
Davis, Tom
Deal (GA)
Doggett
Duncan
Ehlers
Eshoo
Everett
Feeney
Ferguson
Flake
Fossella
Franks (AZ)
Garrett (NJ)
Gerlach
Gibbons
Gohmert
Green (WI)
Gutknecht
Harris
Hayworth
Hefley
Hensarling
Inglis (SC)
Jindal
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
Kline
Lewis (KY)
Lofgren, Zoe
Lungren, Daniel E.
Mack
Maloney
Matheson
McHenry
Miller (FL)
Miller, Gary
Myrick
Norwood
Otter
Paul
Pence
Petri
Pitts
Platts
Poe
Price (GA)
Ramstad
Rohrabacher
Royce
Ryan (WI)
Sensenbrenner
Sessions
Shadegg
Smith (WA)
Stearns
Sullivan
Tancredo
Taylor (MS)
Terry
Tiberi
Velázquez
Westmoreland
Whitfield

NOES—328

Abercrombie
Aderholt
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Barrow
Barton (TX)
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Brown (OH)
Burgess
Butterfield
Calvert
Camp (MI)
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chandler
Clay
Cleaver
Clyburn
Cole (OK)
Conaway
Conyers
Costa
Costello
Cramer
Crenshaw
Crowley
Cuellar
Culberson

Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doolittle
Doyle
Drake
Dreier
Edwards
Emanuel
Emerson
Engel
English (PA)
Etheridge
Farr
Fattah
Filner
Fitzpatrick (PA)
Foley
Forbes
Ford
Fortenberry
Foxx
Frank (MA)
Frelinghuysen
Gallegly
Gilchrest
Gillmor
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hyde
Inslee
Israel
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kildee
Kilpatrick (MI)
Kind
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Lowey
Lucas
Lynch
Manzullo
Marchant
Markey
Marshall
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (MI)
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Owens
Oxley
Pallone
Pascrell
Pastor
Pearce
Pelosi
Peterson (MN)
Peterson (PA)
Pickering
Pombo
Pomeroy
Porter
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Serrano
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Sodrel
Solis
Souder
Spratt
Stark
Strickland
Stupak
Sweeney
Tanner
Tauscher
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—14

Ackerman
Brown, Corrine
Davis (FL)
Evans
Gingrey
Hunter
Issa
Jefferson
Kennedy (RI)
Larson (CT)
McMorris
Payne
Snyder
Taylor (NC)

□ 2054

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. FLAKE

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) regarding grape and wine initiative on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 87, noes 328, not voting 17, as follows:

[Roll No. 192]

AYES—87

Akin
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Bilirakis
Bishop (UT)
Blackburn
Bradley (NH)
Brown-Waite, Ginny
Buyer
Campbell (CA)
Castle
Chabot
Chocola
Coble
Cooper
Cubin
Davis, Jo Ann
Davis, Tom
Deal (GA)
Duncan
Ehlers
Everett
Feeney
Ferguson
Flake
Fossella
Frank (MA)
Franks (AZ)
Garrett (NJ)
Gibbons
Gingrey
Green (WI)
Gutknecht
Harris
Hayworth
Hefley
Hensarling
Inglis (SC)
Istook
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
Kline
Lewis (KY)
Mack
Marchant
Matheson
McHenry
McMorris
Miller (FL)
Myrick
Norwood
Obey
Otter
Paul
Pence
Petri
Pitts
Platts
Poe
Price (GA)
Pryce (OH)
Ramstad
Rohrabacher
Royce
Ryan (WI)
Sensenbrenner
Sessions
Shadegg
Shays
Smith (WA)
Sodrel
Stearns
Sullivan
Tancredo
Tiberi
Westmoreland
Whitfield

NOES—328

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Barrow
Becerra
Berkley
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Burgess
Burton (IN)
Butterfield
Calvert
Camp (MI)
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Chandler
Clay
Cleaver
Clyburn
Cole (OK)
Conaway
Conyers
Costa
Costello
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Edwards
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Farr
Filner
Fitzpatrick (PA)
Foley
Forbes
Ford
Fortenberry
Foxx
Frelinghuysen
Gallegly
Gerlach
Gilchrest
Gillmor
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hyde
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kildee
Kilpatrick (MI)
Kind
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Maloney
Manzullo
Markey
Marshall
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Nadler
Napolitano
Neugebauer
Ney
Northup
Nunes
Nussle
Oberstar
Olver
Ortiz
Osborne
Owens
Oxley
Pallone
Pascrell
Pastor
Pearce
Pelosi
Peterson (MN)
Peterson (PA)
Pombo
Pomeroy
Porter
Price (NC)
Putnam
Radanovich
Rahall
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Serrano
Shaw
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Solis
Souder
Spratt
Stark
Strickland
Stupak
Sweeney
Tanner
Tauscher
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—17

Brown, Corrine
Davis (FL)
Evans
Fattah
Hunter
Issa
Jefferson
Kennedy (RI)
Larson (CT)
Neal (MA)
Payne
Pickering
Rush
Snyder
Taylor (NC)
Van Hollen
Waters

□ 2058

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. VAN HOLLEN. Mr. Chairman, on rollcall No. 192, I was unavoidably detained. Had I been present, I would have voted "yes."

The CHAIRMAN. The Clerk will read the last three lines.

The Clerk read as follows:

This Act may be cited as the ''Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2007''.

□ 2100

Mr. BONILLA. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. BASS) having assumed the chair, Mr. RYAN of Wisconsin, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 5384) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2007, and for other purposes, had directed him to report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The SPEAKER pro tempore. Pursuant to House Resolution 830, the previous question is ordered.

Mr. BONILLA. Mr. Speaker, I ask unanimous consent that the amendment by the gentleman from New York (Mr. ENGEL) be considered to have been adopted in the Committee of the Whole with the modifications I have placed at the desk.

The SPEAKER pro tempore. The Clerk will report the modification.

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 in this Act may be used in contravention of section 303 of the Energy Policy Act of 1992 (42 U.S.C. 13212).

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

There was no objection.

The SPEAKER pro tempore. Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 378, nays 46, not voting 8, as follows:

[Roll No. 193]

YEAS—378

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Beauprez
Becerra
Berkley
Berman
Berry
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeGette
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doolittle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Farr
Fattah
Filner
Fitzpatrick (PA)
Foley
Forbes
Ford
Fortenberry
Foxx
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kaptur
Keller
Kelly
Kennedy (MN)
Kildee
Kilpatrick (MI)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Marshall
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Olver
Ortiz
Osborne
Otter
Oxley
Pallone
Pascrell
Pastor
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Serrano
Sessions
Shaw
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Sodrel
Solis
Souder
Spratt
Strickland
Stupak
Sullivan
Sweeney
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—46

Baldwin
Bass
Bean
Biggert
Blackburn
Blumenauer
Bradley (NH)
Capuano
Conyers
DeFazio
Delahunt
Doggett
Doyle
Feeney
Ferguson
Flake
Fossella
Frank (MA)
Franks (AZ)
Gibbons
Green (WI)
Hayworth
Hefley
Hensarling
Kanjorski
Kind
Lee
Markey
Matheson
Meehan
Miller, George
Moran (VA)
Oberstar
Obey
Owens
Paul
Petri
Price (GA)
Rohrabacher
Ryan (WI)
Sensenbrenner
Shadegg
Shays
Stark
Stearns
Tancredo

NOT VOTING—8

Brown, Corrine
Davis (FL)
Evans
Jefferson
Kennedy (RI)
Larson (CT)
Payne
Snyder

□ 2117

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. LARSON of Connecticut. Mr. Speaker, I would like to submit this statement for the RECORD and regret that I could not be present today, Tuesday, May 23, 2006 to vote on rollcall vote Nos. 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, and 193 due to a family medical emergency.

Had I been present, I would have voted:

''No'' on rollcall vote No. 179 on calling the previous question on H. Res. 830—the rule providing for consideration of H.R. 5384—Department of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act for fiscal year 2007; ''no'' on rollcall vote No. 180 on passage of H. Res. 830—the rule providing for consideration of H.R. 5384—Department of Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act for fiscal year 2007; ''yea'' on rollcall vote No. 181 on suspending the rules and agreeing to H.R. 4681—the Palestinian Anti-Terrorism of 2006; ''yea'' on rollcall vote No. 182 on an amendment to H.R. 5384 to increase funding for Animal and Plant

Health Inspection Service by $23 million to fight invasive species; ''yea'' on rollcall vote No. 183 on an amendment to H.R. 5384 to increase funding for Animal and Plant Health Inspection Service by $500,000 to fight Bovine Tuberculosis; ''no'' on rollcall vote No. 184 on an amendment to H.R. 5384 to prohibit funds from being used to implement the National Animal Identification System; ''no'' on rollcall vote No. 185 on an amendment to H.R. 5384 to prohibit funds from being used to implement the Market Access Program, an agricultural export program; ''no'' on rollcall vote No. 186 on an amendment to H.R. 5384 to reduce funding in the bill by 1 percent; ''no'' on rollcall vote No. 187 on an amendment to H.R. 5384 to reduce funding for the Sugar Loan Program by 6 percent; ''no'' on rollcall vote No. 188 on an amendment to H.R. 5384 to reduce funding for the Agriculture Research Services building and facilities account by $65.3 million and the Cooperative State Research, Education, and Extension Services by $16.7 million; ''no'' on rollcall vote No. 189 on an amendment to H.R. 5384 to prohibit the use of funds for expenditures in contravention of the Immigration and Nationality Act; ''no'' on rollcall vote No. 190 on an amendment to H.R. 5384 to strike $229,000 in funding for dairy education in Iowa; ''no'' on rollcall vote No. 191 on an amendment to H.R. 5384 to strike $180,000 in funding for hydroponic tomato production in Ohio; ''no'' on rollcall vote No. 192 on an amendment to H.R. 5384 to strike $100,000 in funding for the National Grape and Wine Initiative in California; ''yea'' on rollcall vote No. 193 on final passage of H.R. 5384—Department of Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act for fiscal year 2007.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 5384, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2007

Mr. BONILLA. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill, H.R. 5384, the Clerk be authorized to make technical corrections and conforming changes to the bill.

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

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate disagrees to the amendments of the House of Representatives to the bill (S. 2349) ''An Act to provide greater transparency in the legislative process,'' requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. LOTT, Mr. STEVENS, Mr. MCCONNELL, Mr. DODD, and Mr. INOUYE, to be the conferees on the part of the Senate.

PROVIDING FOR CONSIDERATION OF H.R. 5427, ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2007

Mr. HASTINGS of Washington, from the Committee on Rules, submitted a privileged report (Rept. No. 109–479) on the resolution (H. Res. 832) providing for consideration of the bill (H.R. 5427) making appropriations for energy and water development for the fiscal year ending September 30, 2007, and for other purposes, which was referred to the House Calendar and ordered to be printed.

Mr. HASTINGS of Washington. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 832 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 832

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 5427) making appropriations for energy and water development for the fiscal year ending September 30, 2007, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived except for section 102. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. When the committee rises and reports the bill back to the House with a recommendation that the bill do pass, the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The question is, Will the House now consider the resolution?

The question was taken; and (two-thirds having voted in favor thereof) the House agreed to consider the resolution.

The SPEAKER pro tempore. The gentleman from Washington (Mr. HASTINGS) is recognized for 1 hour.

Mr. HASTINGS of Washington. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from California (Ms. MATSUI), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Mr. Speaker, House Resolution 832 is an open rule providing 1 hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations.

The rule waives all points of order against consideration of H.R. 5427, The Energy and Water Development Appropriations Act of 2007. Under the rules of the House, the bill shall be read for amendment by paragraph.

House Resolution 832 waives points of order against provisions of the bill for failure to comply with clause 2 of rule XXI, prohibiting unauthorized appropriations or legislative provisions in an appropriations bill except as specified in the resolution. The rule authorizes the Chair to accord priority in recognition to Members who have preprinted their amendments in the CONGRESSIONAL RECORD and provides one motion to recommit with or without instructions.

The House Rules Committee reported by voice vote an open rule for consideration of H.R. 5427, The Energy and Water Development Appropriations Act of 2007. The underlying bill provides over $30 billion to the Corps of Engineers, the Department of Energy, the Department of the Interior's Bureau of Reclamation and several independent agencies.

The underlying bill provides nearly $5 billion to support vigorous civil works programs that focus limited resources on completing high-priority projects. The Department of Energy constitutes the bulk of the bill with funding of over $24.3 billion. Included in the Department of Energy's budget is over $4 billion for the American Competitiveness Initiative to strengthen basic research by increasing funding for the Department of Energy's Office of Science.

The bill also supports the Advanced Energy Initiative by increasing money for a variety of clean energy technologies including biomass, hydrogen, solar, wind, and clean coal.

Mr. Speaker, this bill also includes funding important many projects in my central Washington district. After getting the Bureau of Reclamation engaged in funding solutions for the depletion of the Odessa Subaquifer 2 years ago, I am pleased that this bill continues the effort to ensure the Federal Government keeps its commitment to the Columbia Basin farmers at risk of losing their water supply.

For the fifth straight year, I am pleased that the funds are provided to keep the study of additional water storage in the Yakima River Basin moving forward towards completion. 2007 is a critical year for this study and this gives the Bureau the funds needed to keep it on schedule to get the study done by 2008.

Having authored the law that created the study, I am dedicated to ensuring it stays on course. No storage has been built in this Yakima River Basin since

the mid-1930s. And after several serious droughts in the last 5 years, it is vital that this study provide answers on more storage.

Over $24 million is provided for 2007 to ensure 1,000 Federal lab scientists and workers continue their important work at the Pacific Northwest National Lab. The funds are needed to transition the lab personnel into new lab buildings. Some lab buildings dating back to the mid-1940s are slated for demolition and cleanup due to radioactive contamination of the structures, soil and ground water. With coordination and planning, this transition can possibly be accomplished in a manner that could save the taxpayers over $100 million.

Within the Department of Energy, the Office of Environmental Management is responsible for the cleanup at the Nation's nuclear sites. The largest and most contaminated of these sites is Hanford in my district. This bill provides needed Hanford cleanup funds for the River Corridor Closure project, the K Basins and other projects managed by the Richland Operations Office. An increase of $20 million is provided for ground water contamination cleanup and technology development.

At Hanford's Office of River Protection, $20 million is restored to the tank farm budget for the bulk vit demonstration project. This funding is necessary for DOE to confirm alternative treatments for millions of gallons of hazardous and radioactive tank waste.

Mr. Speaker, the largest component of Hanford's budget is the waste treatment plant. This project is critical to the Federal Government's obligation to uphold its legal cleanup commitments to the State of Washington. For well over a year this project has been undergoing extensive review by the Department of Energy, the Army Corps of Engineers, and GAO.

In addition, an independent group of the Nation's best and brightest nuclear and construction experts have been looking into the project's technical issues and estimates of the projects costs and schedule. These reviews are providing both recommendations and validations that will assist the Department of Energy in setting a path forward for this project.

It is my hope, Mr. Speaker, and expectation that DOE will provide a detailed plan for the waste treatment plant before Congress writes a final conference report on the energy and water appropriations act for this year. A final path forward from DOE is critical for making decisions on this project for next year and for the future.

Mr. Speaker, I cannot stress enough the importance of Congress getting this information from DOE in a timely manner.

I also want to thank the subcommittee chairman and the ranking member for the time and attention they have dedicated to the waste treatment facility, specifically into preparing a bill that enjoyed strong bipartisan support in the subcommittee and full Appropriations Committee.

Mr. Speaker, House Resolution 832 is an open rule that gives all Members a chance to express their views on how our Nation should be prioritizing its spending. I urge my colleagues to support the rule and the underlying bill.

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

Ms. MATSUI. Mr. Speaker, I thank the gentleman from Washington for yielding me this time. I yield myself such time as I may consume.

(Ms. MATSUI asked and was given permission to revise and extend her remarks.)

Ms. MATSUI. Mr. Speaker, today we consider the rule governing debate for the energy and water appropriations bill. The issues of energy and water are always important, but this year these issues are front and center of our national dialogue.

Over the past 9 months, the American people have seen the direct impact of water infrastructure on their day-to-day lives, from Hurricane Katrina's devastation of New Orleans and the gulf coast to the worst flooding the New England States have experienced in 70 years, and just this week NOAA announced the upcoming hurricane season will bring an increase in strong storms reaching land, category 3 and above.

In our communities, in our States, and every region of our country we are seeing the importance of flood protection. But we are also witnessing the growing strain on our already fragile water infrastructure. Yet even with this added pressure, our Nation's civil works programs do not see a corresponding increase in funding. These projects provide critical protections and we need to make investing in them a priority.

On repeated occasions you have heard me discuss the critical need to improve flood protection in my hometown of Sacramento.

□ 2130

In terms of lives and property, I recognize what is at stake. Sacramento has the dubious distinction of being the most at-risk river city in the Nation. I certainly understand the heightened concern that arrives with each rainfall. This year, our region has experienced an especially wet winter and wet spring. Each year we delay making these necessary investments is one more year of wondering what Mother Nature will bring.

Members of the committee attempted to make the most with its limited resources. They did improve on the President's budget. However, as Appropriations Committee Ranking Member OBEY and Energy and Water Subcommittee Ranking Member Visclosky rightly pointed out, we still need an additional $250 million to protect vulnerable areas from flooding.

With these funds, the Army Corps of Engineers could speed up construction on a number of flood protection projects across the country. Additionally, they would be able to provide some support to the operation and maintenance of completed projects, as well as restore the Corps' research and development program.

As a Nation, we are at a crossroads. We can continue in a defensive position, responding to Mother Nature's whims as in New Orleans and recent storms in the northeast, or we can take the offensive, working to strengthen and reinforce our Nation's water infrastructure.

In my view, we must seek out opportunities like this to be proactive and not reactive, as Congress is beginning to do in science and investing in renewable energy sources.

I was pleased that the committee increased funding from last year's level for the Department of Energy's Office of Science. This will fund basic energy research, nuclear physics, as well as biological and environmental sciences. A 15 percent increase is a good start, but if we truly want to reverse the trend of the past few years, we need to make a greater investment in science and research and development.

I was home in Sacramento this past weekend and everyone was talking about rising gas and energy prices. The net effect for working families is perhaps a shorter vacation and perhaps not eating out at a restaurant. Escalating energy prices threaten not only the quality of life and pocketbook of every American but the very stability of our national economy.

We must do more as a Nation to develop energy alternatives. I believe that America must modernize its energy policy to decrease this Nation's dependence on foreign sources of oil and preserve the environment. To accomplish this, Congress must develop a strategic and forward-looking energy plan that places a high priority on new research into renewable fuels and greater energy efficiency.

Unfortunately, the programs this bill cut are the exact programs necessary to develop a national renewable energy portfolio for the 21st century. There are drastic reductions in funding for wind, solar and geothermal programs, some of the programs that must be grown if we are ever going to curb our reliance on oil. I am concerned that we are missing an opportunity to expand our energy alternatives.

As much as this Energy and Water Appropriations bill is about funding current needs, it is also about investing in the future. While I think the committee tried to the best of their abilities to do this, in the end, the tight funding constraints limited their ability to strike the necessary balance.

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

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Utah (Mr. BISHOP), my colleague on the Rules Committee.

Mr. BISHOP of Utah. Mr. Speaker, I rise this evening in support of the rule for the Energy and Water Appropriations Act.

I wish to commend Chairman HOBSON and the subcommittee for crafting in a very bipartisan way an excellent bill. This bill does contain funding for water and resource-related projects in my district and my State, and I think that it is very wise of them, but it also deals with one specific issue I wish to address this evening.

Chairman HOBSON has recognized in this bill the importance of having a very strong nuclear power program in the United States. As Americans continue to face the increasing costs of energy, nuclear power is an important part of our overall energy policy. Chairman HOBSON has craftily connected the concept of interim storage with reprocessing of fuel rods, recognizing that spent fuel rods really are not spent at all. The overwhelming majority of the rod is still fuel that is available, and through reprocessing of the spent fuel rods, we can not only create greater energy, but we will significantly reduce the problem of a waste stream.

During last year's debate, I engaged Chairman HOBSON on the floor in a colloquy on this issue. He said at that time: ''I do not see any reason for the Secretary to consider making a private site, or a site on tribal land, into a DOE site for interim storage. My intent is for the Secretary to evaluate storage options at existing DOE sites.''

I appreciate very much that his subcommittee has taken these words to heart and has crafted in this bill a process which ensures that the interim storage of nuclear waste will be done in conjunction with willing partners.

Specifically in this bill, there are some additional criteria for interim storage in the report language. It talks about the department, and it says they will ''explore consolidation of spent fuel within States with high volumes of spent fuel. The Department should conduct a voluntary, competitive process to select interim storage sites.''

The key word here obviously is the word ''voluntary.'' Chairman HOBSON added this important phrase and clearly understands that it is far wiser and better to voluntarily work with States than to try to impose mandates on States. That not only protects the rights and positions of States in our Federal State, but it is clearly a wiser policy of choice.

This bill reinforces the statements and the commitments that the chairman has made on this issue, this year, last year and repeatedly in other venues, and I appreciate him doing that. State and local officials in my State, military in my State, environmental groups and citizens in my State are encouraged with these particular words.

Once again, I would like to express my appreciation to Chairman HOBSON and the entire subcommittee, both sides of the aisle, for protecting what I consider to be in an important way the citizens of my State and ensuring that State and local interests are paramount in this particular process. I think you have done a fine job, and I am proud to speak in favor of this particular bill and especially the rule which will put it before us.

Ms. MATSUI. Mr. Speaker, I yield 5 minutes to the gentleman from Indiana (Mr. VISCLOSKY).

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

Mr. VISCLOSKY. Mr. Speaker, I appreciate the gentlewoman yielding and her kind remarks and also at the outset would congratulate the gentleman from Washington for his leadership and dogged determination to follow through on very complicated issues relative to Hanford, not only on behalf of the constituents he represents in his district or the State of Washington, but to make sure that we in a timely fashion have a solution to a national problem, and I do respect the gentleman's leadership.

Mr. Speaker, the Energy and Water bill that will be before us tomorrow is an excellent bill, and Mr. HOBSON and the members of the subcommittee have done an exceptional job on it. I will be strongly supporting the bill. However, I rise now because it simply does not do enough, given the restricted allocation that the subcommittee had to deal with.

That is why I am asking my colleagues to defeat the previous question on the rule so that I may offer an amendment to the Energy and Water Development Appropriation bill. Last week, in the full Appropriations Committee, Mr. OBEY proposed an alternative set of 302(b) allocations that include $1 billion more for the Energy and Water bill. My amendment would propose that the same increase to this bill be given and show how the Democratic Members of the House would allocate the additional spending.

Over 25 years ago, during the Carter administration, the country faced a major energy crisis. The Congress responded aggressively. Today, I believe our response is a faint shadow of what had been done previously. Today, our spending levels for research and development and demonstration for fossil fuels, renewable energy sources and conservation are about one-quarter of what they were then. The amendment would provide an additional $750 million across these areas.

Some examples of this increased investment in energy innovation are:

A doubling of funding for biofuels and biorefineries so that researchers can pursue the full range of biomass technologies and develop new ones;

Provide the Clean Coal Program with enough funding so that they can issue the next major solicitation of innovative proposals for making better use of this abundant domestic energy source;

To restore funding for petroleum, natural gas and geothermal technology programs for which the administration and the bill provide virtually no funds;

Increase support for developing the full range of conservation technologies;

Weatherization for an additional 30,000 homes in the year 2007, next year, providing immediate energy savings;

The establishment of a DARPA-like program in DOE for advanced energy research projects to stimulate innovation that can change the paradigms for how we obtain and use energy, much as DARPA investments in networking help create the Internet.

Relative to our water infrastructure, Hurricane Katrina was a wake-up call, and while we are providing much funding for this stricken area, flood protection is needed in many other areas of our country. The amendment would also provide $250 million more to accelerate needed improvements to flood control measures around the country. It would also increase operation and maintenance funding for two regions and partially restore the cuts to the R and D program for the Army Corps of Engineers.

Our country needs this $1 billion increase to this year's investments to ensure our future safety and prosperity. Given that there will be additional needs in the future, I would not borrow the money for these investments from our children and grandchildren. So they must be paid for now, and to do that, the amendment would provide that those making in excess of $1 million in 2007 give up 2.42 percent of the tax cuts provided to them since 2000. I think the country will miss these investments in our common good more than the most prosperous among us will miss two-tenths of their ample income.

Mr. Speaker, I had hoped that my proposal would have been made in order under the rule. I ask my colleagues to defeat the previous question so that this amendment can be debated and voted upon by the full House.

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I, first of all, want to thank the ranking member for his kind words, and I also want to thank him and the chairman of the subcommittee a little broader because they have taken a great deal of interest in the Hanford project. Both of them have been out there at least once in the past several years, and other Members of the subcommittee have visited that, and I want to bring that to the House's attention because the one common denominator I hear when people go out and visit the Hanford site is, I had no idea it was that huge and that complex. I think that understanding helps us move forward.

But I do want to reiterate and I do hope the Department of Energy does come forward with their path before we finally get the final conference report. I think that it is important.

Having said that, on the Rules Committee, we did not make the gentleman's amendment in order because it

calls for raising taxes, and that is a province of the Ways and Means Committee, and obviously, they do want to keep that jurisdiction. We did not provide the waiver, and therefore, that amendment was not made in order.

I also mention, too, the amendment was offered during the markup in the full Appropriations Committee, and it was defeated by the Appropriations Committee.

So I appreciate the gentleman's remarks, but I just wanted to make those observations.

Mr. Speaker, I reserve my time.

Ms. MATSUI. Mr. Speaker, I would just like to make some comments also that I appreciate Chairman HOBSON and Ranking Member VISCLOSKY for working with me on my project in Sacramento. That is much appreciated.

Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Speaker, let me say that I think in general, within the spectacularly inadequate allocation provided the subcommittee, that Mr. HOBSON and Mr. VISCLOSKY have done a very credible job on this bill, and I especially appreciate the way Mr. HOBSON has approached this bill on a bipartisan basis.

Having said that, I would hope that Members would vote against the previous question on the rule. As Mr. VISCLOSKY pointed out, for the 25 years since Jimmy Carter left office, this country has been in a listless drift as far as energy policy is concerned. Energy conservation, energy research programs, have been funded at woefully low levels in comparison to where they were during the high point of Jimmy Carter's presidency.

The problem is that, after Carter left office, his successors, especially Mr. Reagan and Mr. Bush, systematically shrank those budgets in real terms, and so today, we are paying the price in terms of scarce energy and high energy prices.

We have some choices to make. The Congress has already determined this year, the majority party has, that it is important this year to provide $40 billion in supersized tax cuts to people who make over $1 million a year.

□ 2145

In contrast, Mr. VISCLOSKY would offer an amendment which would scale back the size of those tax cuts by 2½ percent and use that money instead to make greater investments totaling $1 billion more than the bill contains for flood control projects and especially for energy conservation and energy development programs.

If we had done that over the past 25 years, if we had simply kept up with what Jimmy Carter had asked us to do while he was President, we would be in a far more secure place as a Nation tonight and we would have a far more stable pricing system for energy, and we would be much further along the way toward protecting Mother Earth from the ravages of global warming.

So I would hope that the House would vote against the previous question so that we would have an opportunity to resurrect the Visclosky amendment. I do believe that it is important to ask the question: What is more valuable to the country's future, stronger levees in our communities, stronger flood control projects, an energy policy that puts us ahead of the curve rather than at the mercy of OPEC, or an even easier Easy Street for the most well-off people in this society?

I think the choice is obvious.

Mr. HASTINGS of Washington. Mr. Speaker, I advise my friend from California I have no more requests for time, so I will reserve my time.

Ms. MATSUI. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. ISRAEL).

Mr. ISRAEL. Mr. Speaker, I thank the gentlewoman, and I rise to oppose this rule, and I must express my very deep concern with the underlying bill.

Despite the very best efforts of many of my colleagues, this bill remains a broken promise on the most critical issues that we confront, specifically renewable energy. The gentleman from Indiana is absolutely correct, we need to do much more than we are doing in this bill on renewable energy.

Let me tell you why this is so critical, Mr. Speaker. This year, the Department of Defense will spend $10 billion on its basic energy bill. Of that $10 billion, $4.7 billion will buy one thing: fuel for the Air Force planes. That $4.7 billion is about what we are going to spend for the National Cancer Institute.

We need renewable energies, Mr. Speaker, not just for our environment, not just to bring gas prices down, but as a matter of national security. What could be more dysfunctional than having to borrow money from China in order to buy oil from our Persian Gulf adversaries in order to fuel airplanes to protect us from China and our Persian Gulf adversaries?

On renewable energies, this bill, as it is currently drafted, falls short. Last July, we passed an energy bill, and many of us printed press releases patting ourselves on the back for this sweeping new investment in renewable energy. Those press releases promised $3.3 billion would be spent on renewable energies this year alone, $3.3 billion authorized for research, development, and deployment of renewable energy. But when it comes time to actually sign the check, the check doesn't say $3.3 billion, it says $1.3 billion. That is $2 billion short.

This is like No Child Left Behind all over again. You promise to pay high, you actually pay low. In this case, it is not Leave No Child Behind; pit is Leave No Barrel of Oil Behind.

Mr. Speaker, I understand that the argument can be made, and I respect the argument, that many renewable technologies did receive increases over last year. Many specific accounts for renewable energy, research and development did receive increases over last year's levels. But only in Washington can a $2 billion shortfall be called an increase.

Try that logic with your utility company. When the bill comes, try saying I know I was going to pay $100, $150, but what I really meant to say was, I am giving you $15. No utility company would let you get away with it, and the Congress shouldn't allow that to be gotten away with.

The bottom line, Mr. Speaker, is the bottom line. And if we are truly serious about ending our dependence on foreign oil and strengthening our military, we would not be shortchanging this bill. I hope that the gentleman's efforts prevail. I hope that this Congress will have an opportunity to put our money where our mouths are when it comes to renewable energy, not just as an environmental issue, not just to get gas prices down, but to make sure our military has the capabilities to defeat our enemies around the world.

Mr. HASTINGS of Washington. Mr. Speaker, I continue to reserve the balance of my time.

Ms. MATSUI. Mr. Speaker, I am prepared to close.

Mr. Speaker, I will be calling for a ''no'' vote on the previous question. If the previous question is defeated, I will amend the rule so that we can consider the Visclosky amendment that was rejected in the Rules Committee tonight on a straight party-line vote.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment and extraneous material immediately prior to the vote.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Ms. MATSUI. Mr. Speaker, the Visclosky amendment would provide $250 million for a number of ongoing flood projects that are not funded in the bill. It also adds $750 million for research into alternative sources of energy, such as coal, ethanol, and biodiesel, that would reduce or eliminate our dependence on foreign oil. The spending increase in the Visclosky amendment is offset by reducing by 2.4 percent the tax cut received by people earning more than $1 million a year.

Mr. Speaker, this amendment deals with two urgent national priorities. It puts our money where our mouth is when we say our country needs to diversify our energy supply, increase energy efficiency, and reduce our addiction to foreign oil. With the hurricane season approaching, it puts more resources into the major flood control projects that would protect our property and our lives.

Mr. Speaker, it is important for Members to know that a ''no'' vote will not prevent us from considering the energy and water appropriation bill under an open rule. But a ''no'' vote will allow Members to vote on the Visclosky amendment.

Vote ''no'' on the previous question.

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

Mr. HASTINGS of Washington. Mr. Speaker, I would urge my colleagues to vote ''yes'' on the previous question and ''yes'' on the resolution.

This is a fair rule. It is an open rule and allows Members to come down to the floor and prioritize and reprioritize the spending under the jurisdiction of the Energy and Water Subcommittee.

The material previously referred to by Ms. MATSUI is as follows:

PREVIOUS QUESTION FOR H. RES.____, RULE FOR H.R. 5427 THE ENERGY & WATER APPROPRIATIONS FOR FY 2007

At the end of the resolution, add the following new sections:

SEC. 2. Notwithstanding any other provision of this resolution, the amendment printed in section 3 shall be in order without intervention of any point of order and before any other amendment if offered by Representative Visclosky of Indiana or a designee. The amendment is not subject to amendment except for pro forma amendments or to a demand for a division of the question in the committee of the whole or in the House.

SEC. 3. The amendment referred to in section 2 is as follows:

AMENDMENT TO ENERGY AND WATER APPROPRIATIONS BILL, 2007 OFFERED BY MR. VISCLOSKY OF INDIANA

Page 2, line 20, strike ''$128,000,000'' and insert ''$132,000,000''.

Page 3, line 12, strike ''$1,947,171,000'' and insert ''$2,175,171,000''.

Page 6, line 10, strike ''$2,195,471,000'' and insert ''$2,213,471,000''.

Page 6, line 14, strike ''$297,043,000'' and insert ''$306,043,000''.

Page 7, line 3, strike ''$141,113,000'' and insert ''$150,113,000''.

Page 21, line 5, strike ''$2,025,527,000'' and insert ''$2,525,527,000''.

Page 21, line 6, before the period, insert the following: '', of which not less than $150,000,000 shall be for funding new advanced energy research''.

Page 22, line 1, strike ''$558,204,000'' and insert ''$808,204,000''.

Page 22, line 2, strike ''$54,000,000'' and insert ''$80,000,000''.

Page 22, line 13, strike ''$36,400,000'' and insert ''$200,400,000''.

At the end of title V, insert the following:

SEC. ____. In the case of taxpayers with income in excess of $1,000,000, for the calendar year beginning in 2007, the amount of tax reduction resulting from enactment of Public Law 107–16, Public Law 108–27 and Public Law 108–311 shall be reduced by 2.42 percent.

Mr. HASTINGS of Washington. Mr. Speaker, I urge my colleagues to vote for the previous question, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

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

Ms. MATSUI. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

REPUBLICAN TAX CUT MONOPOLY

(Mr. BROWN of Ohio asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BROWN of Ohio. Mr. Speaker, the Republican-controlled Congress recently passed a tax bill which President Bush signed saying, ''With this bill, we are sending the American people a clear message about our policy.''

I couldn't agree more. This bill makes America's tax policy into a cruel game of Monopoly designed to make winners of the super-rich and losers of America's working middle class.

Under their tax scheme, working middle-class families get the chance card and don't fair so well under the Republican bill. They get about $20. Not enough to fill their gas tanks. But trust fund millionaires with an average income of more than $5 million draw the community chest card. They get $82,000. Enough for a brand new limousine.

The President was right: the Republican tax bill does send a clear message about their policy: millionaires win, working middle-class families lose, and America needs new leadership.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. JINDAL). Under the Speaker's announced policy of January 4, 2005, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. HUNTER) is recognized for 5 minutes.

(Mr. HUNTER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. EMANUEL) is recognized for 5 minutes.

(Mr. EMANUEL addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

WHY WE ARE THERE

Ms. WOOLSEY. Mr. Speaker, I ask unanimous consent to speak out of order.

The SPEAKER pro tempore. Without objection, the gentlewoman from California is recognized for 5 minutes.

There was no objection.

Ms. WOOLSEY. Mr. Speaker, the Secretary of State was on the talk show circuit this past weekend and said something extraordinary about the reason we invaded Iraq. These are Secretary Rice's words: ''I understand that Americans see violence on their screens. They continue to see Americans killed. But I would ask that people remember why we are there.''

Secretary Rice continued: ''We are there because having overthrown a brutal dictator who was a destabilizing force in the Middle East, we are trying to help the Iraqis create a stable foundation for democracy and a stable foundation for peace.''

I would have liked to have seen Ms. Rice and the rest of the Bush national security team come before the Congress, the American people, and the world community with this argument in late 2002 and early 2003. My guess is they would have gotten roughly 25 votes in this body to authorize the President to go to war. Actually, they didn't get mine, or two-thirds of the Democrats; but they got enough votes to go to war.

But, of course, the Republicans were too smart for that. To make their case for war, they needed something that would scare the pants off everyone in this Congress and in this country. So we heard a lot of tall tales about aluminum tubes, uranium from Niger, and reconstituted nuclear weapons. Secretary Rice herself engaged in the ultimate fear mongering when she said, ''We don't want the smoking gun to be a mushroom cloud.''

When it came time to close the sale, they sent Ms. Rice's predecessor, Colin Powell, to the U.N., not to talk about how cruel Saddam Hussein had been to his own people, but to specifically outline the case, the phony case as its turned out, that Saddam Hussein had weapons of mass destruction and posed a direct threat to our national security.

Dictators are undoubtedly bad and democracy is undoubtedly good, but can we afford to spend $300 billion and march 2,500 Americans off to their deaths every time we spot a bad, undemocratic regime? Taken to its logical extreme, this policy would commit us to military occupations in every corner of the globe, something that, to say the least, we don't have the resources or the appetite to do.

Isn't there a better way to spread freedom? Of course there is.

We can and must have a robust democracy-promotion agenda that invests in the hopes of oppressed people, one that lifts their spirits instead of tearing down their countries.

The SMART Security plan that I have proposed includes an ambitious investment in democracy-building, the kind that would establish rule of law, civil society, a free press and independent judiciaries around the world.

Unfortunately, as I have discussed here many times over, the Bush administration is scaling back funding for exactly these kinds of efforts. Step number one is to bring our troops home. Now, for sure, right now. No permanent military bases, no designs on profiting from Iraqi oil.

Let us work with the global community to establish a multilateral security force that can keep Iraq stable in the short term. Let us lead the way in the U.N. toward establishing an international peace commission that can

begin the post-war reconciliation process.

Let us focus on putting Iraq back together again, changing our role from that of military occupier to reconstruction partner.

First and foremost, we must end the war. Our brave soldiers have served bravely and sacrificed plenty. It is time to return them home to their families, and it is time for the United States to truly devote itself to the spread of democracy worldwide through peaceful partnerships and not military conquest.

□ 2200

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Nebraska (Mr. OSBORNE) is recognized for 5 minutes.

(Mr. OSBORNE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

CONGRESS MUST PAVE THE ROAD TO ENERGY INDEPENDENCE

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent to take my Special Order at this time.

The SPEAKER pro tempore. Without objection, the gentleman from Ohio is recognized for 5 minutes.

There was no objection.

Mr. BROWN of Ohio. Mr. Speaker, Memorial Day weekend marks the beginning of the summer driving season, the time of year when high gas prices will most harm families struggling to stretch family budgets already at the breaking point.

More than 31 million Americans will take to the Nation's highways this weekend for long trips. Each of those miles will cost consumers dearly at the pump because of misguided energy policies.

The simple fact is that the White House and the Republican Congress knew before they passed it that America's dependence on foreign oil would increase under the Bush energy bill. But there is hope. On Saturday, I joined my colleague, Senate Democratic leader HARRY REID, in Cleveland to announce our plan for a better, brighter future.

Our plan invests in ethanol and other biofuels grown in the Midwest, not drilled for in the Middle East. It requires increased production of flexible fuel vehicles capable of burning an 85 percent ethanol blend called E–85. It requires increased investment to make E–85 more available in America's service station. It creates incentives to encourage early adoption of these commonsense technologies that are ready to be put into production today.

Our plan also expands the tax credits for consumers who buy especially efficient hybrid cars, and it cracks down on gasoline price manipulation.

It makes it crystal clear to Big Oil that manipulation, either direct price gouging or withholding supply to drive prices up, is against Federal law. Not slap-on-the-hands kind of antiprice gouging legislation, but serious penalties and fines that will make the oil industry pay attention.

It also redirects Federal support to help rebuild the energy industries of the future. Rather than subsidize Big Oil, we should be helping farmer-owned biofuels, innovative hybrid, and fuel efficiency component manufacturers, and other emerging energy industries to grow, the kinds of jobs perfect for Ohioans who know so much about manufacturing and Ohio farmers who have contributed so much to our State.

This is about energy in my State, and it is about jobs in Ohio. With our natural resources and real leadership on energy policy, Ohio can become the Silicon Valley of alternative energy. Our plan is to invest in research.

In the 1940s, the Manhattan Project brought the Nation's best scientific minds together to develop the means to end a global catastrophe. In the 1960s the Apollo Project brought the Nation's best minds together to help our country reach a bold new goal.

Our plan creates a new advanced research project agency for energy, a mission-driven task force based on those successes, to help us build an energy future that is both economically and ecologically sustainable.

Those are not the only things we should do to protect consumers. We should also create public gasoline reserves to discourage supply manipulation by Big Oil and provide a cushion for consumers. We know whenever there is an interruption in supply from a hurricane, from a disturbance in the Middle East, or from a refinery fire, we know that the oil companies take advantage by spiking the price even higher than the supply interruption would suggest.

I suggested this idea to create public gasoline reserves 3 years ago. Senator DURBIN has a similar idea pending in the Senate for the last year or so. The Consumer Federation of America and the AAA have both testified that a gas reserve system would help consumers.

The White House is actually talking about the idea now. Talk is cheap, gas is not; but the White House could be on board and help move this proposal. This is a pocketbook issue for America's working middle class.

At our event in Cleveland, Senator REID and I were joined by two mothers from northeast Ohio who know firsthand how hard it is to keep up with these gas prices.

Reverend Lois Annich, a Presbyterian minister, called it ''a social injustice of the highest order'' that families were struggling to pay higher gas bills while Big Oil was posting record profits: $8 billion last quarter for ExxonMobil while its CEO earned $18,000 an hour, while Ohio minimum wage earners who buy that gasoline are making $10,000 a year.

And Jennifer Tucker, a working mother of two, explained how rising gas prices were making her family's economic future less secure by making her nursing education harder to afford.

Lois and Jennifer, millions of Americans just like them, know what I know: that it is well past time that this Congress and this Bush White House start putting the interests of the American people ahead of the interests of Big Oil.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. GEORGE MILLER) is recognized for 5 minutes.

(Mr. GEORGE MILLER of California addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

H.R. 5351 AND DISASTER PREPAREDNESS

Mr. ETHERIDGE. Mr. Speaker, I ask unanimous consent to claim the time of the gentleman from California.

The SPEAKER pro tempore. Without objection, the gentleman from North Carolina is recognized for 5 minutes.

There was no objection.

Mr. ETHERIDGE. Mr. Speaker, this evening I rise on the floor to speak for a few minutes in support of H.R. 5351, the National Emergency Management Reform and Enhancement Act, and to address the need for reform of the Federal Emergency Management Agency. This legislation represents a significant victory for democratic principles of effective Federal action for the American people.

Hurricane season starts in a little over a week, and just yesterday scientists at NOAA told us to expect another several months of dangerous storms. The devastation wrought by Hurricane Katrina and Hurricane Rita on our fellow citizens on the gulf coast serves as a wake-up call that the Federal Emergency Management Agency was badly broken.

Unfortunately, the inept response of many FEMA officials and the administration to this national disaster illustrated the degradation of an agency that once was a showplace of government responsiveness, efficiency, and professionalism.

My State of North Carolina has been no stranger to hurricanes and natural

disasters over the years, and FEMA personnel performed admirably as our State struggled to recover from Hurricane Fran in 1996 and Hurricane Floyd in 1999, as well as other floods, tornadoes, and ice storms. Fran featured devastating winds and Floyd produced a 500-year flood in northeastern North Carolina. Fortunately, then-FEMA director James Lee Witt was a professional with marching orders from the White House to do whatever was needed to save life and property. FEMA in the 1990s delivered vital services the American people have a right to expect. Unfortunately, that model of success was replaced by the current administration with the failed approach of cronyism and incompetence. Congress must now step in and provide leadership to fix a broken system.

However, unlike some of my colleagues in this body, my solution to fixing FEMA is not to strip it out of the Department of Homeland Security. This action will not only result in an ill-conceived division of duties, resources and responsibilities, but also increase bureaucracy, interagency turf wars and red tape.

I don't need to tell you, but the American people will not stand for more red tape and bureaucracy. The last thing they want to see after a disaster are Federal government officials trading business cards instead of assisting the victims of the storm. My Democratic colleagues and I have worked for months on the Homeland Security Committee to reform FEMA and to restore its standing as a quality government organization.

I am pleased that our Republican colleagues have joined together and the Homeland Security Committee passed a bill on a unanimous bipartisan vote.

H.R. 5351 addresses many of the problems and deficiencies that prevented FEMA from providing efficient and effective support of State and local officials after a disaster, whether they be natural or man-made. This legislation creates a stronger autonomous mission-oriented FEMA within the framework of the Department of Homeland Security. It restores control of the accepted emergency management cycle of preparedness, response, recovery and mitigation to the agency.

It requires that the director of FEMA be a recognized emergency management professional who would serve as the day-to-day principal adviser to the President of the United States for emergency management matters. The legislation would elevate the director to the President's cabinet during times of crisis so no one could obstruct the speedy delivery of relief, personnel and resources to devastated areas in this country and around the world.

H.R. 5351 reinvigorates FEMA's regional offices and staffs them with emergency management professionals with both experience and a familiarity with the people, geography, and threats to our States and municipalities.

Importantly, this bill gives FEMA budgetary independence and prevents the Secretary of Homeland Security from siphoning money away from disaster and terrorism prevention and preparedness for other agency initiatives.

Mr. Speaker, I urge my colleagues to join me as a cosponsor of this bipartisan, commonsense legislation; and I urge the leadership to schedule for a vote this legislation as soon as possible. Our Nation and its people will not stand for another botched response from this Federal Government, nor should they. This administration should be held accountable for its many mistakes, and this bill would allow FEMA to fulfill its mission as a primary Federal responder and support agency in times of disaster.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. BILIRAKIS) is recognized for 5 minutes.

(Mr. BILIRAKIS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

(Mr. PALLONE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

BECOMING AMERICA THE DEPENDENT

Ms. KAPTUR. Mr. Speaker, I ask unanimous consent to claim my time.

The SPEAKER pro tempore. Without objection, the gentlewoman from Ohio is recognized for 5 minutes.

There was no objection.

Ms. KAPTUR. Mr. Speaker, America, which should value our birthright of independence, is all too quickly becoming America the dependent.

We are dangerously dependent, for example, on foreign oil for our energy needs. Indeed, we import nearly 75 percent of it; a third of our trade deficit is due to this oil dependency. We could become energy independent here at home with energy sources here that we would invent and create and refine, and what a job-rich America that would create.

America is becoming more and more dependent upon imports from foreign manufacturers than we are exports from our country in all fields: in appliances, in clothing, even food. This year America may become for the first time in its history a net food importer.

The balance of payments which had been the pride of our country, more exports than imports, has been reduced to red ink. The monthly trade deficit for March was just in 1 month over $62 billion, and we are still on another record annual trade deficit pace.

In fact, our monthly trade deficit figure is so huge it equals the entire annual budget of our Department of Veterans Affairs. Veterans fought to make us free from foreign tyranny, but the new tyranny is taking a different form.

At the end of March, our overall publicly held debt was a staggering $4.6 trillion, not counting promises that the government has made to pay for retirement programs and health benefits that are due to the American people in the amount of over $8.4 trillion. Now, would you believe that nearly half, 43 percent of this debt, overall debt, of that amount, $2 trillion is now held by foreigners.

We have already heard that it took 200 years for our Nation to accumulate $1 trillion of debt. But would you believe we are now at the point where $1 trillion of our public debt is held by Japan, China and Hong Kong? As this chart illustrates, Japan is the largest holder of our debt, followed by Europe, followed by China and Hong Kong, which are rising very quickly.

In fact, would you believe that between October of 2003 and March of this year, China alone more than doubled its holdings of our public debt from $151 billion to $321 billion. The United States government, our taxpayers this year will pay more than $200 billion in interest on publicly-held debt with nearly $100 billion going to foreign holders of our debt. That's right. We are going to pay interest to foreign holders of U.S. debt, almost five times as much as we appropriate on an annual basis for the entire U.S. Department of Energy. Imagine if we invested those dollars in ourselves. We will pay interest to foreign holders of U.S. debt nearly three times as much as we spend in a year on the Department of Housing and Urban Development to build this country from coast-to-coast.

We will pay interest to foreign holders of U.S. debt nearly twice as much as we appropriate for the entire Department of Labor. We have just had more miners killed in Kentucky, God rest their souls, because they didn't have oxygen equipment that would last them long enough that would outlast the monoxide until the rescue workers could get there.

Yet we can pay this kind of money to foreign holders of our debt. We will pay about as much interest to foreign holders of U.S. debt as we will appropriate for fighting the war in Iraq. Wow. Think about it. What do we do about it?

Without a doubt, first thing we should do is clean up our fiscal house, and that starts with balancing our budgets and digging out of this red ink. We cannot expect to continue in this fashion and remain the leader of the free world. Our currency is being devalued. We see the skittishness in the stock market, and interest rates are going up at the same time as gas prices are going up. This is very clear.

There are certain rules of economics that never fail you. We are either going to have a currency devaluation, or we are going to have inflation go out of control. But the point is, more and

more, we are going in hock to foreign interests. We need to ask, how do we take our country back? At a minimum, how do we owe the money to ourselves rather than other Nations? In prior generations, when we were faced with a problem like this, we didn't turn to foreign bankers; we turned to the American people. We did it through balancing our budget, and we did it through savings bond sales. There used to be a time when savings bonds could be purchased easily at any local bank or even in smaller denominations at our U.S. Postal Service.

It was a way the average American, who is as patriotic as anybody in this world, could invest in their own country. They could buy bonds in very small denominations, and they knew their investment was secure and that they were investing in America, not someplace else.

But in recent years, the Federal Reserve and our Treasury have gotten lazy. They are selling these denominations in big, big numbers, thousands of dollars apiece, and they like to do it through just a few cushy dealers on Wall Street. They love dealing with the big bond houses to get fees for every bond they sell. It is a very undemocratic bond system.

In fact, the Federal Reserve loves to reward their friends on Wall Street instead of strengthening our Nation down to the average citizen and their ability to own a piece of the republic. I would like to restore that spirit of independence to our country, and this method, tried and true, of savings bond purchases helped us through military wars and economic depressions.

Savings bonds can be called upon again, in a new war, to maintain America's economic independence and take it back from foreign investors who are owning larger pieces of us every day. Independence, independence, independence. Reduce America's ownership by foreign interests.

□ 2215

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from New York (Mrs. MCCARTHY) is recognized for 5 minutes.

(Mrs. MCCARTHY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

ILLEGAL IMMIGRATION AND BORDER STATES

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, the gentleman from Texas (Mr. CARTER) is recognized for half the time before midnight as the designee of the majority leader.

Mr. CARTER. Mr. Speaker, I appreciate being recognized and the ability to have the chance to address the House this night on the issue we all know is the most critical issue our Nation faces today, that is the security of the American borders and the sovereignty of our Nation.

I rise because I am from Texas, and I grew up crossing the Mexican border with our neighbors from Mexico all of my life. I have even been several times to the great international celebration in Nuevo Laredo for George Washington's birthday, a time in which thousands and thousands of Texans joined their neighbors in Mexico for a great fiesta. I consider Mexico, my entire life, I have considered them my friend and our neighbor to the south. I actually went to school in Mexico. I am very familiar with the country, and I have a warm regard for the people of Mexico.

However, the world we live in today is not the world I grew up in. I have had the occasion in the last 6 months to visit Nuevo Laredo with Congressman CUELLAR on two occasions. I have been down there with Congressional delegations that have visited the border to talk about the incursions into the United States by literally hundreds of thousands and millions of people coming out of Mexico across our southern borders from San Diego to Brownsville.

But the world I know is Texas, and I am going to talk about the Texas border that I am familiar with. I want to tell you that I sat out in a pickup truck on the side of the Rio Grande in a mesquite thicket in the dark with one lone border patrolman and his electronic equipment, which was a camera that scanned 2.5 miles in either direction, a stretch of the river, right in the city limits or on the edge of the city limits of Laredo, Texas.

I got to sit out there on that lonely job with that young man for a pretty good while and talk to him about what he has experienced. He says what every rancher and farmer and homeowner that lives on the border of Texas today repeats: This is not the same bunch of people that used to come across our border.

They are coming in waves, and they are doing damage and breaking into homes, and they are stealing things. Whereas they used to come by a pepper's house with their hat in their hands and the rancher wife would put dinner out on the back porch for them, today they break into the house; they have no regard for private property. They have no regard for anything that is going on in Texas. They just think it is their right to come into Texas, and they are acting that way.

This young man told me, he said, I asked him, I said, how many people? The first time I visited was in the wintertime. I said, how many people will come across? He said, well, it is winter. Maybe a couple of hundred tonight. But in the summer, maybe a couple of thousand in my sector that I will turn back on some given nights.

This is a number that way surpasses anything we have ever experienced in our State, and all the other States along the border are experiencing this problem.

But, you know, I have been thinking about this, and this is not a problem that just started last week. I firmly believe that we enhanced the problem of the Mexican border, especially our southern border, with the amnesty bill that we passed in 1986. We gave a message, and in that message, it was clear: Come on in, boys, you are welcome, and in they came.

Their thoughts were, I can go, most of them came for jobs. But I used to be able to say, when I was a young man and a teenager, the people who came over here are coming to work. I am telling you, you can't say that today. You can't say that every person that crosses that border comes to work. That border patrolman told me a tale that will chill your soul. In the El Paso sector in December, they stopped 15 illegal immigrants, all of whom claimed to be from Mexico, all of whom voluntarily agreed to return.

So they fingerprinted them and processed them and took them back to Mexico. They ran those fingerprints through, I think it is NCI or whatever it is that they use with the Border Patrol, and about five of those finger prints had previously been recorded by the United States Government. Those prints came from a cave in Afghanistan. Now those were not people coming across our border from Mexico to get a job. But they were blending in with those who were.

We live in the world of 9/11. We live in a time when an enemy has launched and successfully accomplished the worst attack on the United States in the history of the United States. We have people we don't know coming across our border.

We are doing a lot of talk about enforcement. We are doing a lot of talk about writing new laws. We go, oh, my gosh, let us rush out, and we have got to come up and figure out how we get a work program. We have got to come up with citizenship for these people. We have got to know what to do with these people. Sure, these are problems that we have to address sometime, and I am sure soon.

But my concern is, we are not analyzing this problem the way the problems should be analyzed. The legislation we are hearing that is coming this way from the Senate, and my way of thinking, is a totally improper way to analyze a problem of the United States.

I spent almost 21 years as a district judge in Texas. I had many, many, times, where I had a multiple-issue case that I had to choose. But a jury would use the same analysis to try to figure out a solution to a problem. So I will use that example. But the same example could be used for a surgeon in an emergency room.

You have a problem, and you look at that problem, and you say, well, this problem has multiple issues we have to deal with. We have evidence to cover these issues. We need to examine those issues, that evidence closely and come up with a solution to these problems.

But first where is the ongoing harm? Where is the bleeding? You have got to

stop the damage that is there right now today before you move on to the damage that may be coming down the road or to work on other issues to determine the solution. I would say the bleeding is at the border. We have got to stop the bleeding.

The surgeon that is at the emergency room when they are bringing someone, if there is arterial blood flowing, he is not worried about a CAT scan or an X-ray or whether this man might have cancer or diabetes. He wants to stop the bleeding.

If we don't go and address the issues on the border as the House bill has done to stop the bleeding, if we don't do that, we are analyzing this problem wrong.

You know, we could stand around in this House, and we can talk about whose fault is it. You know, hindsight is 2020, but the truth is, the fault lies across the board, and we ought to step up and say so.

From 1986 until the present, we have had both Republican and Democratic administrations. We can all point the finger and say, you did it. But as you point that finger, point it back to you. The fact is, we have not met our duty to the American people.

But now we see a crisis. Ask any American, where is the crisis in immigration, and something like 90 percent of them will say, at the border. Before we deal with anything, we have got to stop the flow. That is why the House bill is so very important that we go forward on it.

You know, we took an oath in this House. The President of the United States took an oath. That oath was that we would, to the best of our ability, perform the duties of the office to which we had been elected and preserve, protect and defend the Constitution of the United States. We took an oath to do our job. Those people we hire to work for us assist us in doing that job.

□ 2230

Mr. Speaker, I am very concerned that as we rush to judgment on the issue of immigration, that we start talking about amnesty and we start talking about creating a program where people who have broken the laws of the United States are going to be given special privileges that even people who are born here don't get. There are things now being proposed in the Senate bill as to collecting back Social Security, having the Davis-Bacon Act apply to all of your wages, and unbelievable things where even every American doesn't have those benefits. Talk to my teachers back in Texas about some of their missing Social Security benefits they have been trying to get for, Lord, it has got to be 50 years. And yet we are looking at this and putting patches on it, and the patches are getting worse and the tire is going flatter.

Mr. Speaker, the executive and those on both sides of the aisle have failed. When we wrote the law in 1986, we had laws that pertained to crossing our borders and we didn't enforce them. We had laws that pertained to employers and we didn't enforce them, and the Congress failed in its duty to do that also.

I would argue the worst offender of all are the bureaucrats. But all that is beside us now. We cannot continue on with a system that doesn't work at the border, where some nights 16,000 people come across that border.

I went out and pulled up some of the old law books just to find a few things, because you hear people say well, they are not really breaking any laws. Shame on you. Somebody wants to make this a felony. I don't think anybody has ever looked to see what it is. It is a civil, not a criminal file for the first crossing. But it continues on. Illegal entry carries a punishment of fine and imprisonment of up to 6 months. Harboring undocumented aliens carries a fine and imprisonment of up to 5 years. Alien smuggling carries a fine and imprisonment up to 10 years. Those are felonies, 5 and 10 year sentences, in my opinion.

A crime that causes a serious bodily injury to any person, the penalty is a fine and a sentence of up to 20 years in prison. Reentry into the United States is a felony charge punishable with fines and/or imprisonment for 2 or more years. If reentry is after a previous non-aggravated felony, it is up to 10 years. If it is after an aggravated felony, it is up to 20 years.

Now, I would like to know, are we enforcing those laws? I used to sit in the courtroom and do a jail call every Monday morning. I would call the jail and we would bring people over and find out who was in jail. Inevitably, once, twice, three times a month, we would have anywhere from two to 20 illegal aliens in the jail. Inevitably.

We would call INS and tell them, we got some of your people here. You need to pick them up. They would say if they are there on Thursday, we will get them. They would all bond out on Tuesday and be gone.

Now, is the Immigration and Naturalization Service doing the duty that our laws gave them to do? No. We have failed to enforce the laws that are on the books today. So we are not in a panic to create laws to prevent these people from coming in here. We have laws we are not enforcing. Now the tide has become overwhelming for law enforcement. This overwhelming of us is what we are talking about. This is where the bleeding is. This is where the bleeding has got to be stopped.

The bill that we passed through this House, I would like to add things to it, were I given the opportunity. Hopefully there will be more resources for our Border Patrol, resources on the border, electronic surveillance, unmanned drones and all of the other things that technology provides for us today, to help us stop this invasion.

I use the term ''invasion,'' and I don't take that hesitantly. While I was there, I saw a film of what now we are being told were drug dealers coming across the border in what looked like to everybody there Mexican military uniforms, carrying satchels of drugs with automatic weapons and vehicles. Now, it has not been resolved as to exactly who those people are, but, you know, if it looks like the Mexican army, I wonder if it is? I think we ought to know that. I think we ought to have an answer to that.

Most of Europe went to war over an invasion in 1939 and it ended up being World War II. I am concerned about the invasion across our southern border. I am concerned we are not enforcing the laws.

I am convinced that the solution to this problem is to do our job, and if we do our job and enforce the laws that are in place and make a conscientious effort to study the best possible solution for every one of the multiple problems that exist in this immigration and border security issue, let's stop the bleeding at the border and then let's put the good minds in this House on both sides of the aisle to work in cooperating to come up with real lasting solutions, and not forgetting that we have laws we can enforce now as we come up with solutions for these other things.

That is basically the way I view this thing.

I want to yield to the gentleman from California (Mr. ROHRABACHER), who also would like to address this House on this important issue.

Mr. ROHRABACHER. I thank you very much, and associate myself with your remarks. I think what is really important at this point is that every American understands that the massive influx of illegal immigrants into our country has not been an accident. It is, instead, the result of an intentional strategy on the part of America's political elite.

Yes, the laws are not being enforced, just as you said. That is an intentional decision by someone that those laws are not enforced. The business community wants cheap labor. The movers and shakers of the liberal left, consistent with their Tammany Hall traditions want more political pawns who are dependent on government programs. They got what they wanted. Bear Stearns estimates that are there are between 15 and 20 million illegals now in our country.

By the way, one area I might disagree a little bit with my friend, although it is really not a disagreement, it is just not the border. Of the 15 to 20 million illegals, 4 to 5 million of them are visa overstayers, people who have come into our country on a visa and just overstayed their visa and melded right into the population. Many, many are from Mainland China, for example. And the decision of not having a visa system in which we check to see if anybody returns once they have come to the United States has been a conscious decision. We are not going to correct this problem.

Well, my own subcommittee held a hearing on that, and it was demonstrable that over the last two decades we have had a huge influx of people just overstaying their visa and becoming illegally part of our country.

The downside of all of this, 15 to 20 million illegals in our country, is becoming increasingly evident. In education we hear about overcrowding and the declining quality of our schools. The States are spending $7.4 billion annually to provide K through 12 education to people who aren't supposed to be here in the first place.

Without school age illegal immigrants or the children of illegal immigrants, school enrollment would not have risen at all during the past decade. So when you hear about overcrowding or the decline of our education, that is where it starts. Our limited education dollars are being expended not for our children's benefit, but for children of foreigners who have come here illegally. That is a crime against America's youth. Our children are being denied a quality education because of our cowardice or incompetence to deal with this issue.

Similarly, our health care system is under siege. Illegal aliens account for 43 percent of those without health insurance in our country. At least $9 billion then of our scarce health care dollars are being spent on foreigners who have come here illegally.

Yes, business gets their cheap labor. The rest of us end up with closed hospital emergency rooms and skyrocketing health insurance costs, which can be traced, among other things, to the care that is given to illegal aliens, which is then simply added on to our bill and sent to our insurance companies.

The effect on our criminal justice system has been no less catastrophic. Almost 30 percent of Federal prisoners are now foreign born. That is one out of every three Federal prisoners. In California, for example, about one out of every four persons in our prisons are illegal. The estimated cost, of course, of incarcerating an illegal for a year is $22,517 per year.

And that is only a small price that the American people are paying. Think of the other price, the price of the theft and property damage that is traced to these criminal aliens. And who can put a price tag on the violent attacks, the murders, the rapes, perpetrated by these foreign marauders?

And less easily recognized, millions of American families are being robbed of a higher quality of life and a higher standard of living as wages are bid down by hordes of job seekers who are not even supposed to be here in our country. A study by Harvard University professor George Boris shows immigration accounts for the entire decline of real wages that has affected so many of our countrymen in the past two decades. Competition from the growing number of illegal immigrant laborers in the past 20 years means American workers are earning, get this, an average of $1,700 less every year than they would have otherwise been earning.

Now, who gets hurt? Well, unemployment among Americans with less than a high school education is at 14 percent. Fourteen percent of those Americans who don't have a high school education are out of work, with no hope. And who is taking their jobs?

Many of our citizens find they have a decline in pay in terms of real dollars. And who are these people who are mainly finding that their pay level is going down? It is the people on the bottom end of the scale. The less fortunate Americans we are trying to help are the ones who are being hurt the most by illegal immigrants.

So whether we are talking about education, health care, food stamps, housing assistance, school breakfast and lunch programs, all of which were intended for struggling Americans, all of these are being drained to one extent or another by people who have come here illegally, and in many cases these people have paid little or nothing into the system.

It is estimated that the average illegal alien uses $2,700 or more in government services more than he pays in taxes. That is coming right out of the hide of America's least fortunate citizens. This is a crime perpetrated by America's elite on America's least fortunate people. It is a betrayal of our fellow Americans for whom these programs were intended.

Now, we keep hearing we need these illegals. We need people coming in to do jobs that Americans won't do. Well, that is so much baloney. Americans will do these jobs. If Americans are paid a decent wage, Americans will do the jobs.

I was on a TV show recently where a woman said she couldn't find an American woman to help take care of her children. This was a very wealthy person who ended up hiring an illegal Mexican woman. Yes, she hired her probably at about $50. She wouldn't hire the American woman down the road who would be glad to work for her for $20 an hour while her own kids are going to school, thus paying her $100 a day.

Who was worse off? The worse off person is the American woman who would have loved to have worked for that job. Yes, the illegal got a little money, 50 bucks. Who is really better off? The rich lady who got that illegal at half the price she would have had to pay an American. This goes right down the line to so many other jobs.

We say now there are a lot of jobs, for example, in hotels. Yes, hotels, they say they need illegals to change the sheets in the hotel rooms. There are lots of American women who would love so help us with child care and help with changing the sheets in the motel room if we would pay them a decent wage. But we have hordes of illegals coming into this country bidding down those prices so those American women stay at home and have no job at all. Who is being hurt? Regular Americans are being hurt by this.

The open-borders crowd are now throwing their weight behind the current Senate bill. Wake up America. This is the same gang that brought this crisis upon us, and the Senate bill will make the situation worse.

□ 2245

Even the bill before us from the United States Senate is not an anti-illegal immigration bill. It is a pro-immigration, a pro-illegal immigration bill, because that will be the impact.

The core provisions of the Senate bill around which everything else orbits is the so-called guest worker program, and the legalization status of those 15 to 20 million illegals who are now in our country. The Senate bill changes the status of these millions of intruders from illegal to legal.

The President does not want to call that amnesty. I call that amnesty, and there is no other definition I know for it. You are changing the status from illegal to legal of people who have come here in violation of our law.

Whatever you call it, if you legalize the status of those who skipped the line and came here in violation of our country's law, we are telling hundreds of millions of foreigners who are waiting to come to this country legally, they are waiting in line overseas, we are telling them they are a bunch of saps.

We will start a stampede towards America, just like what happened the last time we legalized the status of people who were here illegally back in 1986. No matter what is done to strengthen the border, any benefit from strengthening the border will be overwhelmed by the dramatically increased pull which is a result of legalizing the status of these millions of illegals who are in our country.

Now, the rest of the Senate bill. What does it include? It guarantees instate tuition for illegals. Your kid has to pay full tuition if he crosses a border of a State line. These illegals do not. Now that is a way not to give anybody incentive to come here to our country.

And agricultural guest workers under this bill cannot be fired by their employers except for what the bill calls ''just cause''. However, American agricultural workers can be fired for any reason. Oh, well, that is going to keep them away from our country, isn't it?

The Senate bill will make illegal aliens eligible for Social Security. Get that, America. Wake up, America. The Senate has voted to give illegal immigrants Social Security. Hundreds of millions of desperate people living in poverty throughout the world who have no pension system available to them now know that the United States Senate has voted to make them part of America's pension system if they can just get here.

This is beyond absurd. This is bizarre. This is horrible. We are including people who have come here illegally in America's pension system and expecting that not to attract tens of millions of other desperate people from around the world. And, of course, Social Security is not just a pension system for people. It is also a survivor's benefit program.

So when an illegal works here and then dies, we will take care of his or her children until they are 18 years old. The potential for corruption and the gaming of such a system boggles the mind. I can assure you right now, if this is put in place as the Senate has voted to do, we will be taking care and there will be payments from our Social Security system to millions of kids in China, and in Mexico, as people go back and their coroners claim they have died and their dependents are waiting for their check to be delivered.

And of course all of this is happening at a time when we are trying to keep Social Security solvent. Oh, yes, the Senate bill, of course, gives all employers amnesty too. So now employers are not going to worry about enforcing the law. Who cares if Americans are being denied the jobs? Who cares? Because actually employers now can hire people and these employers are now no longer held accountable for the illegals that they have hired.

And what is the final result? The insult, of course, is the Senate bill is providing money for those organizations that are helping illegals adjust their status. We are actually paying them to help fight our Government and our efforts to clear up the illegal immigration situation by sending illegals home.

There are a number of other provisions in the bill that should alarm small business. For example, this bill, the Senate bill, requires us to pay illegals the prevailing wage. And then, of course, we are setting up an entire bureaucracy to determine what that prevailing wage is for various different professions.

No, this will massively increase the bureaucratic power over our people and our country, and the private sector already. Illegal immigration has had a horrible, horrible impact on our way of life. Kids in my neighborhood do not cut the lawn any more. I used to cut the lawn. That is what I did for pocket change when I was a kid. Kids do not do that any more. Kids do not wash the cars any more.

No. What we have done is our values have changed because illegals have come in and changed our way of life. And we are told we have to bring them in because, for example, the fruit and the vegetables will rot in the fields without illegals.

Well, if we pay our American people they will do the job. And if they do not, we can be creative enough. For example, let us use prisoners to pick fruit, and pay them so that when they get out of prison, they will have $10,000 or $20,000 in their pocket and they will have contributed money to their own incarceration, or for restitution to their victims.

We can come through this without importing millions and millions of people from foreign countries to come here and do this kind of work. We can. We can run the United States of America without a massive flow of illegals or a massive new flow of immigrants into our country.

Now, I support legal immigration. I think legal immigrants, legal immigrants deserve every right as every American citizen. We have the most generous legal immigration system in the world. We permit more legal immigration into America than any other country in the world.

The Senate wants to up that by so much, that if the Senate bill passed, we are talking about 100 million to 200 million more immigrants coming into our country over the next 20 years. Read that correctly.

If you put illegal immigration on top of that, we are talking about hundreds of millions, perhaps 300 million people coming into the United States of America. Wake up, America. We are losing our country. We cannot permit this massive flow of illegals to continue.

And we cannot just dramatically increase the number of legal immigrants coming into our country, which would then overwhelm our ability to assimilate them. We can be proud of legal immigration. We should keep it at the level it has been at.

But, no, we have people who are not watching out for the interests of the American people. That is what we need to talk about right now as we close this presentation. The American people need to pay attention. This vote that is coming up on the Senate bill versus the House bill, which is based on enforcement and trying to stop illegal immigration, the Senate bill is a pro-illegal immigration bill. The American people need to look very closely who is watching out for their interests and who is against them.

Who is on their side and who is on the side of foreigners who wish to come here? Again, these people who want to came here are wonderful people. Even the illegal immigrants who come here are wonderful people. 95 percent of them are wonderful people.

Our job is not to take care of every wonderful person in the world, providing them a pension, providing them health care, providing their children with education. Our job is to watch out for the American people.

We accept no apologies for that. We should have no apologies that we put the American people's interests first. But that is not what has been happening. There has been some very powerful special interests, as I say, in business who want cheap labor, and on the left wing and liberal left wing of the Democratic Party who want political pawns out of illegals who come here and other people who immigrate here who are dependent on Government programs.

The American people have the power in their hands to control the destiny of this country. They must pay attention if we are to succeed in thwarting this threat to our freedom and to our prosperity. Wake up, America. It is time to hold accountable your elected representatives. Study the issues. See who is supporting this program in the Senate to give away our Social Security, and destroy that system. See who is supporting actual border enforcement and changing our visa laws so they can be enforced and protecting us from an overwhelming flow of illegals into our country, which lowers wages and threatens our way of life.

Hold those elected officials accountable, and kick them out of office if they are not representing your interests. They are supposed to be working for you. And with that I yield back.

Mr. CARTER. Mr. Speaker, can I ask how much time we have left?

The SPEAKER pro tempore (Mr. KUHL of New York). Roughly 15 minutes.

Mr. CARTER. Mr. Speaker, at this time I yield to Mr. GINGREY.

Mr. GINGREY. Mr. Speaker, it is a pleasure to join both of my colleagues, the gentleman from Texas, Judge CARTER, who is managing the hour with the gentleman from California that you just heard from, Mr. Speaker, my colleague, Representative ROHRABACHER, who very passionately explained what the issue is.

You know, and again, I think as I represent the 640,000 or so constituents of the 11th District of Georgia, West Georgia, great, great people. And when I go home, and I am sure Representatives CARTER and ROHRABACHER are hearing the same thing from their constituents, they say and I agree, that this is a country of law abiding people.

And we have to have respect for the rule of law. I was real interested, Mr. Speaker, this weekend on one of the Sunday morning news shows, one of our colleagues, in fact, indeed one of my colleagues from Georgia, Representative NORWOOD, who is such a great spokesperson on this issue was debating one of the Senators who happened also to be from the Southeast, in regard to the Senate bill versus the Sensenbrenner, very sensible, as the name would have it, the legislation that we passed in the House before the first of the year that emphasizes border security and border security first.

And that is what my colleagues were speaking about before me, that there is all of this talk about, you know, what to do with 11 or 12 million people who are in this country illegally, and what to do about the fact that there are certain sectors of our economy that are dependent on a lot of foreign workers.

Unfortunately, a lot of those foreign workers are among the 11 or 12 million that are here illegally. So maybe we need a temporary worker program. I

agree with my colleague who just spoke that if the pay and benefit package and health care and these things that go with those jobs were a decent wage, I think in some instances, Mr. Speaker, they are, but in some instances, maybe far too many, they are not.

If they were, then there are plenty of legal aliens, legal immigrants, United States citizens who are out of work today who would take those jobs. Now, everybody says, well, golly, we have this low unemployment rate of 4.5 percent. Well, that is 4.5 percent of people without jobs. Until it gets to zero percent, I cannot really see where we necessarily need a temporary worker program.

But what I was saying about that program, Mr. Speaker, that television news show this past Sunday morning, we are talking about the rule of law. The Senator incredulously said, well, the law is okay as long as it is a ''just law''. You know, that is just shocking to me. I do not know what the Senator's occupation is or profession, I know there is a lot of lawyers over there in the other body. But our laws are our laws. If they are not just laws, we have a way in this chamber and that chamber to change those laws, because after all we are the ones that make them.

If they are not just laws, then we change them, and we do it in the right way. We do not just ignore it, if we do not like the law. There are lots of laws that I do not like. But by golly I abide by them, whether I am on this Hill, inside the Beltway, or back home in Georgia. And that is the way my constituents feel, and that is the way my colleagues who are sharing this hour with me feel.

I am dead set with them on securing our borders first and foremost. The President spoke to the Nation the other night, Mr. Speaker, talked about putting some National Guard troops, 6,000 I think he said on a temporary basis, to sort of back up the Border Patrol. We have got what 10,000 or 12,000 U.S. Border Patrol agents on the southern border.

I think we need more. I think my colleague, Mr. NORWOOD, on Sunday morning said maybe we need 30,000. But at least we need 18,000 or 20,000. And we are going to get there. And we are going to, according to the House version of immigration reform to secure the border, we are going to build facilities and have more bed space so that we can retain these illegal immigrants that are referred to as OTM, that acronym that stands for Other Than Mexicans, that we have been catching and releasing in that catch-and-release program.

□ 2300

I think the whole point here is history: if you do not pay attention to it, you are going to repeat it; and you are going to make the same mistakes over and over again if you do not learn from the past. We can go back; my colleagues have probably already done that in the earlier part of the aisle. I may have missed part of that discussion, but that Bracero program that we had from 1942 to the 60s, dismal failure. That was a temporary worker program. Dismal failure. And then our great communicator and one of my very favorite all-time Presidents, Ronald Reagan, in the Immigration Reform Act of 1986, an amnesty, really pretty much a blanket amnesty for 3 million people.

Now, that would probably have been okay 19 years ago if we had secured our borders, but we didn't. There was no border security that went along with that as a companion. And we estimate and, Mr. Speaker, do not take my word for it, this is a CRS report that I am reading in front of me dated May 15, 2006. That is pretty darn recent, I think. It is talking about the fact that there probably are today 11 to 12 million illegal aliens in this country. If you do the math, that is about 500,000 a year that are coming through that border which is nothing but a sieve, and that hemorrhaging continues. And if we grant any kind of amnesty program today and we do not secure that border, you do the math. In 20 years from now, we will be talking about 35 or 40 million illegal immigrants, illegal aliens in this country.

My colleagues talked about the stress that that puts on public education, on our health care system. The fact that we do not know really that these, hopefully the majority are law abiding. I think they are, but in this day and time after 9/11 and with the threat of a global terrorism, how do you know who is coming in this country? Are they all coming to work? Absolutely not. Some are members of gangs. Some are involved in drug trade. So it is absolutely imperative.

I commend Chairman SENSENBRENNER, Mr. Speaker, and I commend my House colleagues. I commend the Speaker, the majority leader, this Republican majority in this body, this House of Representatives for doing what we did. In fact, the first bill we passed was the REAL ID Act and that was in complete and total lockstep response to what the 9/11 Commission asked us to do in regard to driver's licenses and this abuse of the claim of asylum, to be able to in an expedited fashion to get rid of someone who was allowed to come in this country and then was involved in terrorist activity. So these things are so important.

I just thank my colleague, my good friend, classmate from Texas, Mr. CARTER, for letting me come and just share a little bit of time with him because we are compassionate. Everybody talks about the President and his great compassion. I do not doubt that. I think he does have great compassion. But I think if he wants to insist on granting an amnesty program that even comes close to what is happening in 1986, he is dead wrong on this issue.

I want to work with employers and I think in the House bill we do that. We are going to provide a biometric tamper-proof identification card so when we get this combined program done, and we do not have to do it all in the next 2 weeks, and I think if we can get the Senate to agree as my great colleague and Senator from Georgia, JOHNNY ISAKSON said, let's get the border secured first. We can do the rest of this stuff, which is in my opinion sort of cosmetic surgery, once you stop the hemorrhaging.

If we go back and look at a temporary worker program and what to do with the 11 million that are here illegally, I personally think, yes, they should pay back taxes, pay a fine, pass a criminal background check and then be notified that they have got about a year to make arrangements to go back home, to go to the border and then get in one of three lines.

One line would be to stay home, decide that they want to stay in their country of origin. The second line would be the temporary worker program. We could even give those who have been in this country for more than 5 years working and passing all those litmus tests, good people, we could put them in the front of the temporary worker line; or if they wanted to come back in this country as permanent legal residents and get on a track to citizenship, then they could get in that line.

Maybe it is too simple. Maybe I am a simple kind of guy. That is the way I see it.

I want to thank the judge for taking the time tonight and giving me a chance to share my thoughts with my colleagues.

Mr. CARTER. Reclaiming my time, I want to thank my colleague for joining us here tonight. He is always a very calming influence when he addresses the House, and I am always fascinated to listen to him speak.

This is my whole premise that I was talking about, Mr. Speaker, is that it is time that we take a deep breath and address one of the biggest issues that this House has had to deal with in a long time and an issue that actually can be, as has been explained here tonight, a nation-changing issue.

I personally have a great, as I started out saying, have a great compassion for our neighbors to the south. And I welcome good, honest legal citizens of this country as does everyone. And no one in this House is talking about the Trail of Tears massive deportation to the border. We have issues that have to be addressed. But the problem, the hemorrhaging, the bleeding is at the border today. That is where we have got to go and get this slowed down and get it ready. And then you know I would like to hear quite honestly from my colleagues on the other side of the aisle. We have never really.

The Democrats' plan for immigration does not seem to be out there today. I would like to hear their solution to the

problem. I would like for both sides of the aisle to sit down and say, let's work this thing out intelligently. And I will give you just one example, a couple examples not being addressed. One right now, there is a tremendous backlog on background investigations of people who are coming and have come into this country illegally to get their visas extended. They have to have a background check or to get into this country with a background check. That thing could take anywhere from 18 months and the backlog just once they start processing it, it can take up to 18 months or longer.

Right now in my part of Texas, our San Antonio office is working on the years 1998, 1999 and 2000. We are going to take that system in its present condition and dump 15 million-plus people into that system for background checks? Or do they get to miss that part that the legal immigrants have to take?

Health exams have to be done for everyone that comes in the United States. What are we going to do to examine the health of 15 million people in this country to make sure that there are not communicable diseases in this country? This is an issue that is part of our law. It is required by law. If we are going to process them, that needs to be here.

Then a question I do not hear anybody addressing is what do we do to the people who do not join our program? We love America and we think everybody comes here to be an American citizen. But I can tell you from personal conversations with people who have come here, I have worked building fences side by side with folks that, I never asked them, but since they did not speak any English and they told me they were from Mexico, I kind of figured they were illegal aliens. I can tell you, they didn't come here to be American citizens. They came here to work. And their families were back in Mexico, and they really wanted to go back there. And they sent 80 percent of their paycheck home because they were able to live on social services over here so they can afford to do that.

Now, what about the guy who says, well, that is great, but I do not want to pay back taxes and I do not want to pay a $200 fine, and I do not want to get a health check, and I do not want to get a background check; I will just stay in the shadows. Are we addressing that issue? Are there going to be consequences to those people who continue to stay in the shadows? If you care about the people that come in here, do we want anybody in this country starting their life on American soil under the cloud of criminal behavior?

But we know that 15 million people crossed our borders and broke the law. I did not say felony. I did not give a classification. I said broke the law. We have laws in this country, and it was broken. Let's be intelligent. Let's be smart. Let's seal the borders, put our resources there and then study this program and get a system that we can administer and we can work and we can pay for.

30-SOMETHING WORKING GROUP

The SPEAKER pro tempore (Mr. KUHL of New York). Under the Speaker's announced policy of January 4, 2005, the gentleman from Ohio (Mr. RYAN) is recognized until midnight as the designee of the minority leader.

Mr. RYAN of Ohio. Mr. Speaker, once again we are coming to the floor of the House of Representatives representing the 30-something Working Group. My co-chair will be here shortly, Congressman KENDRICK MEEK from Florida. And we want to thank our minority leader, Ms. PELOSI, and Mr. HOYER and Mr. CLYBURN, Mr. JOHN LARSON, our vice chair of our caucus, for allowing us the opportunity to come down here and speak not only on behalf of our caucus but on behalf of what we feel to be the opinion of many of those folks out in the country that are facing some of the challenges that have come from the legislation, that has come out of this Chamber, and has in many ways burdened them and their families because of the lack of leadership, quite frankly, Mr. Speaker, that has been coming out of this Chamber and out of 1600 Pennsylvania Avenue.

Www.HouseDemocrats.gov/30-Something for those Members and loyal fans who would want to drop us an e-mail about their opinion of what we are saying here, an opinion of what is going on in the government.

I would like to start off today talking a little bit about unfairness and lack of investment in the future of the United States of America. This is a chart that is the Republican tax plan, an overview. And this overview will show you who is benefiting most from the tax cuts that the Republican majority has passed over and over and over again; and how this tax cut has disproportionately favored those people who make more than a million dollars a year.

Now, I think it is important, Mr. Speaker, for all of us to understand at this juncture that we do not have any money to give back in the form of tax cuts. We are borrowing $500 billion a year from the Chinese Government, from the Japanese government, from the OPEC countries, and borrowing that money and giving it back to the wealthiest people in our country in the form of tax cuts for millionaires, $16 billion in corporate welfare for the energy companies, primarily the oil companies.

So when you go to the gas pump, Mr. Speaker, and you ask yourself why is gas so high and the oil company profits so high and then you actually think about public tax dollars going to subsidize the oil industry, that really gets your goat. So not only are your gas taxes high, your gas prices are high, but the public tax dollars that you send down here instead of going into education, instead of going into health care, instead of going into broadband service for all of the citizens in the country, instead of going to clinics, instead of going into all of these art programs and sports programs across the country, Mr. Speaker, the American tax dollar is going to subsidize the most profitable industry in the entire country. $16 billion is going from the pockets of hardworking Americans all over the country to the oil companies.

□ 2315

It is that simple, Mr. Speaker. It is that simple, and what we want to talk about tonight is how a Democratic majority in this House will begin to reform and transform these horrendous decisions that have been made and get our country going in a direction that is going to benefit all.

We will ask, as Democrats, everyone to contribute and we will ask and demand that everyone benefits from those basic contributions. We are going to challenge this country to move forward in a direction that is going to benefit everybody, and the days of we are going to take the public tax dollars and we are going to give them to this special interest group that is in the oil industry and we are going to let them move forward, those days are going to be over as of January 3, 2007.

We need a government, we need a Congress, we need an executive branch that is dynamic, that is mobile, that is agile, that can move in the context of an information economy. As businesses are going down the road, government is holding them back because we are not investing in our workers. We are not investing in education. We are not investing in making sure people are healthy.

To just illustrate how terrible the decisions have been, when you look at all the problems in our country, when you look at college tuition costs doubling, when you look at health care costs going up by 10, 15, 20 percent a year, when you look at the lack of investment into K–12 and the unfunded mandates from No Child Left Behind, when you look at all this and then you have the backdrop of what the Republican Congress is doing night in and night out in the United States Congress, this chart is the Republican tax plan.

Now, I know my friend Mr. MEEK, we are probably two of the more conservative Democrat Members. I am the most conservative Democrat Member in the Ohio delegation. Now, we would love to go to all of our constituents and say you all get a tax cut; this is going to be great. It would be good for us politically to be able to say that. Look what the Republicans are doing.

This big yellow bar here is what a millionaire got in the 2006 tax reconciliation bill. They will get $42,000 back. A millionaire will get $42,000 back. If you make $500,000, you will get $4,500 back. If you make $200,000, you will get $1,395 back, and then if you make $100,000 you will get $400 back. If you make $40,000, you will get $17 back.

Is this not disproportionate? If those people who say, Mr. Speaker, well, the millionaire pays more in tax, we do not have the money to give these people to begin with. We are borrowing the $42,000 from China to give the millionaire a tax break. We do not have money to give anybody, let alone the wealthiest people in the country, give them $42,000 back. We are borrowing the money, Mr. Speaker. We are borrowing money from China to give a millionaire $42,000 back.

Now, if you think that is good public policy, then you need to make sure that you vote for your Republican Member of Congress because this policy will continue. Guess what, in 10 years your kids are going to have a big bill that is going to come in the mail to them that they are going to have to pay the taxes, the debt, the deficit, the bill to the Chinese Government, to the Japanese government, to the OPEC countries, that the money went to pay a millionaire $42,000 back.

Those people who think that this money, the $42,000 that a millionaire gets back, is going to somehow get invested back into the American economy, they have not been around for the last 15 or 20 years because this millionaire is taking their $42,000, Mr. Speaker, and they are putting that in an international fund that is going to yield good returns. They are going to invest that money in a stock that is going to invest in a business in China, in Asia. That is what is going to happen. Where is the benefit to the American people?

All we are saying is that we need to begin to invest in the common good. Everybody contributes, everybody benefits.

I would love to go tell this person, and I do not know many people like this made more than $1 million last year. I am from Youngstown, Ohio. Niles, Ohio and Akron, Ohio, is the district I represent. I would think that we would have the courage to ask this person to please pay their fair share, that they are getting a tax cut of $42,000 and we have got to borrow it from China, do you still want it? We are giving $16 billion to the oil companies. Please, someone in leadership in the United States Government, in the Republican party who controls the House, the Senate and the White House, somebody in the Republican party call in Lee Raymond, call in one of these CEOs from one of the oil companies and just say to them, we do not have $16 billion to give you in corporate welfare, I am sorry. I know we may have had a deal before the election, but you know what, I am sorry, and we do not have that money now for you, and we have to invest that money in the broadband access for everyone in the country; we have got to invest that money into reducing the costs of college education; we have got to invest that money into increasing the health and welfare of the general public; we have got to fund No Child Left Behind; we need more engineers and scientists; we need 3 million health care workers in the next decade or so. We need 1 million nurses in the next decade or so.

I would be happy to yield to my friend Mr. MEEK.

Mr. MEEK of Florida. Mr. Speaker, it has just been truly a pleasure watching you share not only with the Members, Mr. Speaker, but also with the American people, and we wonder how we got to where we are now. I am just wondering how did we got to where we are now?

Mr. Speaker, I think we have gotten there because of this rubber stamp that is here. It is not just a rubber stamp. It is the Republican Congress rubber stamp, and it is very, very unfortunate that the people that are paying the price for this rubber stamp are the American people at the gas pump. This is graduation time. A lot of parents are going to see their children walk across the stage, but guess what, college assistance and affordable loans will not be there for those children because we are willing to give $42,000, $43,000 in tax breaks to millionaires.

The Republican Congress says they gave tax cuts for the American people. Yes, they are American people, too, but I am not talking about the middle class. The middle class family does not consider themselves millionaires.

I am holding this rubber stamp because this is what got us here. Mr. RYAN talks about paying for that. Let us put that rubber stamp over here.

How we are paying for it is we are making history in all the wrong places: 224 years, $1.01 trillion borrowed, Mr. Speaker, over 224-year, 42 Presidents combined, $1.01 trillion. The Republican Congress and President Bush, he could not do it without the Republican Congress, has been able to borrow $1.05 trillion over just 4 years. 224 years versus 4 years, even though we are at war, even though we have little health care for Americans, if any, and Mr. Speaker, we have given out tax breaks to the oil companies.

Mr. RYAN of Ohio. So you are saying that that money that we are borrowing could pay for tax cuts.

Mr. MEEK of Florida. And the special giveaways and special interests.

Let me just quickly, I just want to make the point here. Oil companies, look at the subsidies and look at the profits. They have reaped $113 billion in record breaking profits in 2005; 2004, $84 billion; 2003, $59 billion; 2002, $34 billion. It is coincidental, Mr. Speaker, that after the meeting at the White House with the oil companies, that was uncovered, after they denied all of this, that they were a part of the working group, that the profit level went up.

Now, I am not just a Member with a conspiracy theory, but just the other day in the Democratic Caucus, we had a gentleman that came to speak to us about alternative fuel sources. The question was asked, well, is not the oil companies, I mean, they have commercials going on talking about how they are investing in alternative fuels. This is an actual shot of a pump at an ExxonMobil station. Here you have regular, you have special and then you have super plus.

But this is the interesting part, Mr. Speaker, because this is the ethanol part here that says E–85 which is an alternative fuel. Guess what is happening here. This sign here, and I hope that, Mr. Speaker, the Members can see it. You cannot use your Mobil credit card.

So basically what they are saying is that you can use your credit card for the gas because we want to keep you on this stuff, but if you get a vehicle with alternative fuels, even though you are a customer of ours, you cannot use our card for that fuel. Now, I guarantee you I can walk into the little food mart here at that ExxonMobil and buy a case of sodas if I wanted to with my ExxonMobil card. Someone who is a smoker can buy eight packs of cigarettes.

Mr. RYAN of Ohio. Sunflower seeds.

Mr. MEEK of Florida. Sunflower seeds, what have you, but we cannot buy alternative fuels.

Now, meanwhile, back at the ranch, I see the ExxonMobil CEO on The Today Show, and he is saying, oh, we believe in innovation and alternative fuels, but that is not what it is saying at the pump, Mr. Speaker.

So I think that when we start looking at what is wrong with the Republican majority and what we are willing to do, if the American people sees fit to put Democrats in control of this House, that we will fight the big oil companies. We will make sure that there is no price gouging. It will not be a question of having to appoint a group to go out and look at this issue. They will no longer have the kind of open access special interests has had in this House and that is a fact. That is not fiction; that is fact.

So I think it is important when you start looking at all the money that is being borrowed to fund the millionaire tax break, all the money that is being borrowed to make sure that special interests get their tax cut and their subsidies and all these things, meanwhile the American people are paying for it.

I am not going to pull this stuff off the chart tonight, but these are the countries that are owning a part of the American apple pie due to the fact they want to have the great American giveaway.

Mr. RYAN of Ohio. Mr. Speaker, I just want to make one point as you were talking about the oil companies. They have really become, and I do not say this in a derogatory way, they have become dinosaurs, and the Republican majority has just consistently reaffirmed their prehistoric nature because we are in a new economy. We are in a knowledge-based economy. We are in an economy that can figure out how to not use fossil fuels, how to figure out how to use different things. They run the gamut.

Let us invest in those things and figure out a way that we are not so dependent on the CEOs who are making $400 million, God bless them, retirement package of $2 million tax break, God bless you, but not at the expense of everyone else.

The dinosaur approach no longer works. We cannot have a government that just consistently lives in an age that no longer exists.

Mr. Speaker, I yield to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ), my friend.

Ms. WASSERMAN SCHULTZ. I thank the gentleman for yielding.

I have been listening to both of you banter back and forth about gas prices, and what I hear in both of your voices is your desire to get to the core of what we obviously are all baffled about which is why. I mean, why over the last 15 to 20 years has there not been an effort, and let us say in the last dozen years, has there not been an effort to make a real commitment to fix this, to head this off at the pass, to make sure that our constituents are not consistently having to pay, for the foreseeable future, if not forever, more than $3 a gallon for gas?

I guess because I am the newest among the three of us I have reached the conclusion that obviously the Republicans do not have the joints that they need on the side of their neck because their heads do not appear to go this way. They only go this way, like this bobblehead elephant. Apparently, they only know how to say yes, Mr. Speaker; yes, Mr. President; yes, CEO of oil companies; I am happy to do your bidding in whatever it is that you like.

□ 2330

Their necks, unlike ours, don't appear to go horizontal, or side to side. Because if they did, then their voting record would reflect ours and the values of the American people a lot more closely, and they would not have voted in favor of the energy bill they put forward last summer, when they held the vote open for 40 straight minutes to ensure they could twist enough arms to get the bill to pass and give away the subsidies and the oil leasing rights that we own as a United States Government. And instead of collecting the royalties from the oil companies, we gave them away and allowed them to drill essentially for free, or to drastically reduce the rate.

That action and the lack of a commitment to funding alternative energy research and the cozy relationship that the Bush administration has with the Saudis and with the OPEC leaders, that is what has caused us to be in the mess that we are in. And you don't see any commitment on the part of the Republican leadership here to make any significant change.

The only place you see an effort to make a significant change and take this country in a new direction on oil prices and gas prices is through the Democratic agenda, the innovation agenda, where we pledged, when we rolled out our innovation agenda under Leader PELOSI's leadership, to become energy independent within 10 years. And that is possible through the use of ethanol.

I just saw the gentleman who made that presentation to our caucus on CNN the other night for a solid hour, and he literally outlined how it was possible for us to begin to make a commitment in agriculture through corn, which we are already doing in the Midwest, in your area, Mr. RYAN, but also it could be done in my area with sugar cane, in Louisiana and in the mid northwest with sugar beets. I mean, it is possible for us to really make an effort to invest in ethanol.

Brazil did it. Brazil is now completely independent of foreign oil. They manufacture vehicles that run on ethanol. They have hybrid and ethanol-only automobiles. That is something that is entirely possible in this country within 10 years. Unfortunately, the heads of the Members on this side of the aisle only go one way.

Mr. RYAN of Ohio. And the distinction is quite clear. We want to do broadband access to every household, we want to be energy independent in a decade, we want to fund research and development, and we want to have a tax credit for venture capitalists to come in and pump money into those industries. The Republican majority wants to give the oil companies $16 billion. It is that simple.

Put us in charge and we will have an energy independent Nation in 10 years, period. Let's get the country going in that direction, Mr. MEEK. And like Ms. WASSERMAN SCHULTZ said, we can use sugar cane, we can use ethanol, we can use biodiesel, and we can use wind. We can use all these things. And nuclear. We could piece this thing together, but there's got to be a commitment to say why do we have all our eggs in one basket right now.

And then you look at the problems in the Middle East and all the rest that we have.

Ms. WASSERMAN SCHULTZ. And I actually should have mentioned something else. You are a Midwesterner, but we have coastlines in both of our districts in Florida, and obviously the United States is surrounded by coastline. What was the answer to our long-term and short-term energy needs that the Republicans put forward the other day? I mean, fortunately, we pieced together enough Members to defeat it, but that was to bring oil drilling and natural gas drilling within three miles of the coast of this country.

And it is understandable that a lot of our Midwestern colleagues voted to do that, because they are desperate to make sure that something happens and there is some movement on this. But had our Republican colleagues had a little foresight, had they actually had any interest in not, for lack of a better term, no, I won't use that expression, had they had any interest in not continuing to give significant assistance to the oil industry, then they would have not needed to make that short-term, shortsighted last-ditch effort solution to prevent minivan moms like me from having to pay $55 in filling up their gas tanks, which is what I just did the other day when I was driving my kids around.

Mr. RYAN of Ohio. The American people expect us to come here and come up with solutions; to be creative and figure out how do we fix the problem, not to subsidize with the public tax money the very problem that we are having. We are making the problem worse.

Not only are we giving the oil companies more money, but we could have cut a deal with them. We could say to the oil companies, you are in on it. Make money off it. Hire people, do ethanol. You are in. Make money. Make lots of money. But don't do it at the expense that we are having now, the expense of the American people.

I think when you look at our agenda, when you take a real look, and this isn't about, Mr. Speaker, being on Fox News or MSNBC and two people screaming at each other about who is this and who is that. It is not about that. These are real solutions. And anybody who is watching this debate or this discussion here, this is about what we have in store for the American people. These are our plans: broadband for every household, energy independence in the next 10 years.

Go to our Web site, www.housedemocrats.gov/30something. Go to our Web site, see these charts, and look at us. We want to open this government up. Look at our plan. Examine it; you will like it. It is futuristic. It is about what the country is going to look like in 10 years.

I yield to my friend.

Mr. MEEK of Florida. Mr. RYAN and Ms. WASSERMAN SCHULTZ, it is just not natural to think that the oil industry, the CEOs, the board members of the oil industry will say, well, we want to do the right thing. Matter of fact, we are going to take money out of our pockets and profits and we are going to put it on the table and we are going to make America energy independent.

It goes against financial logic for them. Their stockholders now are making more money than they have ever made in the history of the country. When they have their shareholder meetings, Mr. Speaker, they do not go there and say, boy, people are paying a lot of money at the pump. What should we do? What should we do? No. We are making more money than we have ever made in our lives, and we are being subsidized by the Republican majority in Congress. What can we do to keep the Republican majority in control of the Congress so we can continue getting what we are getting? That is what is happening.

What has to happen on behalf of the American people, they have to have a Congress that is willing to say, you

know, that is not going to happen any more. We are going to make sure we work very hard so we can start stroking away from this kind of business here. Folks are talking out of both sides of their mouths saying that, oh, we believe in innovation and in alternative fuels, yet at the same time denying their customers the right to use their credit card to buy ethanol.

This is on a pump. This is on the pump. This is on the pump. This is not something that some environmental group ran out and put a sticker on a pump. You can pull up to an ExxonMobil station now and see that on the pump. That is very unfortunate, Mr. Speaker. It is not natural for that to happen.

It is not natural for the Republican majority to say, well, Mr. President, we don't agree with your tax policy because its wrong that we are borrowing money from foreign nations and we are selling America way. It is not natural. It is not natural for the Republican majority to say we have to have oversight. We have to make sure that we have no more Hurricane Katrinas.

Yes, there were some committees that met and found out the obvious, that things went wrong. But there were no solutions that came out of the report of the partisan committee here in the House.

It is not natural for the Republican majority to stand up to companies that are raking in record profits off the backs of the American people. This is well documented. And, Mr. Speaker, I am not even going to beg the Republican majority to do the right thing at this point, because history doesn't reflect that they are willing to be bipartisan in a way that will benefit all Americans, with making sure we work in a bipartisan way.

One thing our leadership has said and one thing we have embraced here in the 30-something Group is that when the American people see fit, hopefully in November, if they are willing to have a Democratic Congress to stand up to this White House and to stand up to the special interests here in Washington, D.C., then we will have bipartisanship. Because bipartisanship can only happen when the leadership allows it. I am saying the leadership in charge allows bipartisanship.

Mr. Speaker, well documented. There are conference committees when we pass a bill in the House and the Senate that comes together and the Democratic members are not even welcome to the conference committee to sit and talk about the ideas and exchange with the Senate so we can send a positive package to the President of the United States. That is not happening.

Ms. WASSERMAN SCHULTZ. Will the gentleman yield?

Mr. MEEK of Florida. Ms. WASSERMAN SCHULTZ, as I close, and then I am going to be quiet, because I just want to make this last little point.

It is unfortunate that it is not natural for the Republican majority to do the right thing. I don't care if you are a Republican or an Independent or a Democrat, or you are thinking about voting and you are 17½ years old and you can register and vote in November, you have to have a problem. Or 17 and about to vote in November, because you have to be 18. You have to have a problem the way the Republican majority has put this country in a bad posture for the future and the present.

If I don't say anything else tonight, I just want to make sure that the Members understand what they are doing to the country. Not to Democrats. We are all in this. When we go to the pumps, they don't have a price for Democrats and a price for Republicans and a price for Independents. We are all paying the same price. We are all paying the same price at the pump.

So when folks pass policy and say, oh, well, we got what we wanted. It is not about carrying the Republican leadership on your shoulder saying we beat the Democrats on this one. No, you beat the American people, and the American people have had enough of it.

We are here to make it abundantly clear, and we are carrying a message on behalf of all our colleagues on this side of the aisle, and hopefully a few Republicans on that sides of the aisle, that we are willing to lead on behalf of the American people and not K Street, not the special interests, not somebody's cousin that happened to get a lobbying job that came here to get the right policy here, like they did in the White House on these oil companies.

Am I upset? You're doggone right I am upset. So I just want to make sure that we are clear on that, crystal; that everyone understands and we break this down so that the average Joe and Sue and Sally can understand what we are talking about here.

Ms. WASSERMAN SCHULTZ. You know, what we always try to do here on the 30-something time is to help people understand that we are not just offering our own opinions. And I think it would be helpful to illuminate for folks and for the Members, Mr. Speaker, just exactly what has gone down here in this Chamber and the opportunities that the Republicans have literally just cast aside.

Let us take a walk down the energy memory lane in the last several months, just since I have been here. Ninety-eight percent of House Republicans voted to let the oil companies keep their exorbitant profits. This was the week of April 28. The vote was on April 27, excuse me. And what they did was, the House Republicans rejected a Democratic effort to accept Senate provisions in the tax bill that would have removed $5 billion worth of subsidies and tax loopholes for large oil companies.

In other words, they would have removed the subsidies and tax loopholes worth $5 billion to oil companies, but House Republicans refused to do that. Ninety-eight percent of them voted to do that. Again, I don't think your rubber stamp is big enough, Mr. MEEK.

Let's talk about price gouging. It is really interesting. Before I came here, I was at home for a little while and I was watching CNN and saw a Senate colleague, to stay within the House rules, commenting at a hearing on oil prices. This was a Senate Republican, and he was using very tough talk and grilling the oil companies that were before him. Essentially, the announcer, the commentator on CNN, was talking about how this particular individual had previously never been in favor of legislation and had voted against every opportunity to rein in the oil industry and to try to bring some sanity to the direction that we are moving in terms of our energy policy.

But literally I watched him say it, he said to the oil industry representative that the American people were getting a little bit cranky and tired of this, and that he was getting ready to do something serious. What, I don't know, but if we have reached the point where even someone who has never voted to regulate the oil and gas industry is considering doing that, then you know that the American people have reached their breaking point.

Because in terms of price gouging, it has been a totally different story. The Republican leadership in either 57chamber has never supported adopting price gouging legislation.

□ 2345

In September 2005, Democrats proposed legislation to establish a Federal ban, this was a Democratic proposal, a Federal ban on price gouging for oil, gasoline and other petroleum products during national emergencies; provide civil and criminal penalties for price gouging; ban market manipulation; and require greater transparency in oil and gasoline markets.

This was supported by a majority in the Senate, but it was blocked by Republicans in the House. And that vote took place on November 17, 2005.

So there has never been an interest. In fact, there has been a specific interest in continuing to prop up the oil company profits. We have third-party validator after third-party validator that back this up, so this is not the DEBBIE, TIM and KENDRICK show where we are spewing our opinions. There are facts to back up the things we are saying. We are hopeful that the American people understand who is for true energy independence and moving this country in the right direction and who is just kidding.

Mr. RYAN of Ohio. I thank the gentlewoman because not only did you have third-party validators, I think we have some of the most important third-party validators to what we are saying here.

The next five posters are strong, conservative Republicans with credentials in the conservative community well beyond anything we will ever have.

This is Pat Toomey, former Member of Congress, president of Club for Growth. He says in the Philadelphia Inquirer on May 8: Republicans have

abandoned the principles of limited government and fiscal discipline. He went on to say: There is a very high level of frustration and disappointment among rank-and-file Republicans when they see a Republican-controlled Congress engaging in an obscene level of wasteful spending.

This next quote is from a guy who gave birth to the Republican revolution in 1994. He said, at the end of March, a congressional watchdog agency recently smuggled a truck carrying nuclear material into the country to test security; he said: Why isn't the President pounding on the table? Why isn't he sending in 16 reform bills?

Mr. Gingrich went on to cite a series of blunders under Republican rule, from failures in the aftermath of Hurricane Katrina to mismanagement of the war in Iraq. He said the government has squandered billions of dollars in Iraq. That is from Newt Gingrich, former Speaker, conservative Republican.

He went on to say in the same article: They are seen, the Republicans, and as my good friend from Florida loves to point out, the man who gave birth to the Republican revolution, is now calling the Republican majority they; they are seen by the country as being in charge of a government that cannot function.

This is not the Democratic Party saying this; these are conservative Republicans who had some ideals that see this Republican Congress unable to govern the country.

Pick an issue. The war, down.

Pick an issue. The prescription drug bill, not working.

Pick an issue. Hurricane Katrina, FEMA, not working.

Education costs, through the roof.

You are in charge. You are in charge of the House and the Senate and the White House.

Pick an issue. Pick an issue in this country, oil prices, gas prices, energy costs, health care costs.

Pick an issue. Unable to govern. Unable to govern. And it is not my opinion; it is not your opinion. This is their people saying they do not know how to govern.

We want an opportunity. Then we find out, Tuesday, 26.5 million veterans' information is stolen. You cannot consistently run down government and then expect it to work.

Mr. MEEK of Florida. You know why it is breaking down, because special interests have been allowed to infiltrate the U.S. House of Representatives. The K Street Project until denounced a few months ago was alive and well in the U.S. House of Representatives.

Mr. Speaker, you know it. I know it. The majority and minority know it. Articles were written, you have to be a part of the K Street Project or you are out of it. There was one Member of this House who said if they are not on the list as being a part of the K Street Project that is contributing to make sure that Republicans stay in the majority here in the House, and that also means if they did not hire staffers or ex-staffers that Republican leadership Members asked them to hire, they were not going to have access.

I am going to read this Washington Post article, Wednesday, November 16, 2005, front page: White House documents show executives from big oils companies met with the Vice President's energy task force in 2001.

Well, let us look at the chart. What happened in 2002 after they met? Wow, $34 billion in profits.

''Something long expected by environmentalists but denied as recent as last week by industry officials testifying before Congress. A document obtained this week by The Washington Post,'' and that was November 2005, ''shows that officials from ExxonMobil, Phillips, Shell Oil and BP, Inc., met in the White House complex with Cheney's aides who were developing national energy policies, parts of which became law and parts of which are still being debated.''

The bottom line is it is just not natural for the Republican majority to be part of my revolution. Their revolution is making sure that the special interests get what they want, not the revolution of accountability or any Contract for America that they came up with.

So they got in majority, and they lost touch with the rhetoric that they were sharing with the American people, and look at what happened.

The facts, after the meeting in the White House complex was documented, not the fact that the White House came forward and said, we had a meeting; no, we had to do some insight and investigation. And guess what? The American spirit broke through, and somebody said, yes, there was a meeting, I was there. Not me, but the person who reported that. There was $34 billion in profits after the meeting. Let us look at the profits here. I think that was a pretty good meeting on behalf of the special interests.

That is why Mr. Toomey is saying what he is saying. That is why Mr. Gingrich is saying what he is saying, and that is the reason why the average American person is saying, I am not voting party; I am voting for my family. I am not voting because somebody said, you are a Republican and this is what you have to do. I am not a registered Republican, but I guarantee you those people who delivered the Republican majority in this House voted for the things that they were promised some 12–14 years ago, not what is going on right now here in this House.

If they want a change, they have an opportunity to do it, and we want to make sure that everyone knows they have the power, and not to believe the rhetoric of the 30-second ad about why you need to elect me because the facts are not there on the majority's behalf, the Republican majority's behalf, that they are going to deliver for the average American worker, the average American senior citizen, the average American child that is trying to get an education. Because when they walk across that stage this week and next week, they are going to pay more than ever for their education, and it comes by way of the cuts in the budget to make sure that oil companies and millionaires get their tax breaks, and make sure that individuals who are carrying out bad policy as it relates to not having a strategy in Iraq continue to carry on that bad policy, and no one can wave an Independent or Republican or Democratic flag and say what is happening right now is good in Congress.

What we have to do is change the majority in this House to a Democratic majority because we have the will and the desire to lead, and I believe the American people know. And I believe the Republican majority knows it. I think it is going to happen, and it is going to happen because of what they have not done and what we are willing to do.

Mr. Speaker, I yield to Ms. WASSERMAN SCHULTZ.

Ms. WASSERMAN SCHULTZ. I actually think you are being presumptuous because you touched a nerve when you said you think the Republicans lost touch along the way at some point. That presumes that they were ever in touch because when we listen to remarks on the floor of this House where commentary is made that, for example, people who make $40,000 a year do not pay taxes, when you know you pay upwards of $50 to fill up a gas tank, you scratch your head and wonder, who pumps their gas?

When you cannot determine whether they know what the cost of groceries are, are they shopping for food? Who is talking to them in their districts? Are they driven around in limousines? Because all of the indicators, their desire to maintain tax cuts for the wealthiest among us, all of the indicators are there that they really are that out of touch.

I mean, just to have it stated on the floor of this House that people who make $40,000 do not pay taxes, that is just unbelievable. But then just take the tax cut bill, the rubber-stamp Republican Congress, literally and the walk down memory lane that we have been going through turned the projected $5.6 trillion record surplus into a record deficit of $3.2 trillion. The President has quadrupled our debt held by China. The tax bill that was signed, Americans making $20,000 annually get $2 and Americans making $40,000 get $16.

Mr. RYAN of Ohio. Can you imagine somebody getting a $2 tax break?

Ms. WASSERMAN SCHULTZ. When I ask people in my district in town hall meetings to raise their hand and show me how many have benefited and got money in their pocket from the tax cut legislation, out of several hundred, I get two maybe three hands; that is preposterous.

Here is the kicker: Americans making more than a million dollars a year get a thousand times what people making $40,000 get. They get $42,000. We have a graphic that we can show that means that they can buy a Hummer. That is essentially, they are basically being given the equivalent of a Hummer.

Let me just conclude by adding on to what Mr. Gingrich has said because he also said some things very recently. On May 14, on Meet the Press, Mr. Gingrich said: I think we have to confront the fact that on a variety of fronts, we are not getting the performance we want. The people in charge have an obligation to deliver. When you learn that maybe as much as $16 billion of the $18 billion that we sent to Baghdad for economic purposes was not spent effectively, you know something has to change. When you look at Katrina and you realize that we, the United States Government, paid $1.75 to a general contractor who paid 75 cents to a contractor who paid 35 cents to a subcontractor, who paid 10 cents to put the blue tarp on what was temporary roofing, then you know something has to change.

The leader from the 1994 Republican revolution says something has to change. Change is not going from Republican to Republican. It is going from Republican to Democrat so we can take this country in the direction that we really should be going, and so that the next generation of Americans are going to have an America that they can grow up and believe in.

Mr. RYAN of Ohio. We have positions that are right down the middle. We have positions about investing that money instead of giving $42,000 in tax breaks; making sure that everybody has access to broadband; making sure people are healthy; and No Child Left Behind is funded; and balancing the budget by putting paygo rules on that won't allow us to spend money that we do not have, that we do not either cut from a program or raise revenue somewhere.

As we are wrapping up here. I had an opportunity to go to the Kennedy Library. Mr. MURTHA received the Profiles in Courage Award for his stance on the war and coming out against the war. I ran into Ted Sorenson, who was President Kennedy's top adviser and speech writer. He said, when he was with President Kennedy, they never submitted a budget to Congress that was more than $10 billion off. They would maybe have some, but never more than $10 billion.

And when President Bush says this Congress has to rein in spending, he hasn't vetoed one spending bill, so don't give us this, and we are supposed to believe you. Let us put our faith back in the American people here, www.housedemocrats.gov/30something.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. JONES of Ohio (at the request of Ms. PELOSI) for May 22 on account of business in the district.

Mr. SNYDER (at the request of Ms. PELOSI) for today and the balance of the week.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. WOOLSEY) to revise and extend their remarks and include extraneous material:)

Mr. EMANUEL, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. GEORGE MILLER of California, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

Mrs. MCCARTHY, for 5 minutes, today.

Mr. ETHERIDGE, for 5 minutes, today.

(The following Members (at the request of Mr. ROHRABACHER) to revise and extend their remarks and include extraneous material:)

Mr. SODREL, for 5 minutes, May 24.

Mr. ROHRABACHER, for 5 minutes, May 24.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 1736. An act to provide for the participation of employees in the judicial branch in the Federal leave transfer program for disasters and emergencies.

ADJOURNMENT

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

The motion was agreed to; accordingly (at midnight), the House adjourned until today, Wednesday, May 24, 2006, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

7608. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; New Stuyahok, AK [Docket No. FAA-2005-22535; Airspace Docket No. 05-AAL-24] received February 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7609. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment to Jet Route J-158; ID [Docket No. FAA-2003-22496; Airspace Docket No. 04-ANM-26] (RIN: 2120-AA66) received February 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7610. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification to Class E Airspace; Del Rio, TX [Docket No. FAA-2005-23009; Airspace Docket No. 2005-ASW-18] received February 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7611. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Hillsboro, TX [Docket No. FAA-2005-22998; Airspace Docket No. 2005-ASW-19] received February 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7612. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Arctic Village, AK [Docket No. FAA-2005-22021; Airspace Docket No. 04-AAL-06] received February 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7613. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Tok Junction, AK [Docket No. FAA-2005-22537; Airspace Docket No. 05-AAL-29] received February 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7614. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Nondalton, AK [Docket No. FAA-2005-22536; Airspace Docket No. 05-AAL-25] received February 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7615. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Area Navigation Routes; Southwestern and South Central United States [Docket No. FAA-2005-21381; Airspace Docket No. 05-ASW-2] (RIN: 2120-AA66) received February 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7616. A letter from the Program Anlayst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class D Airspace; Front Range Airport, Denver, CO [Docket FAA-2005-20248; Airspace Docket 05-AWP-13] received February 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7617. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class D Airspace, Modification of Class E; Rogers, AR [Docket No. FAA-2004-19599; Airspace Docket No. 2004-ASW-12] received February 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7618. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Area Navigation Routes; Southwestern and South Central United States [Docket No. FAA-2005-21381; Airspace Docket No. 05-ASW-2] (RIN: 2120-AA66) received February 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7619. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Prohibited Area P-50; Kings Bay, GA [Docket No. FAA-2003-15976; Airspace

Docket No. 03-AWA-5] (RIN: 2120-AA66) received February 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7620. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class C Airspace and Revocation of Class D Airspace, Orlando Sanford International Airport, FL; and Modification of the Orlando International Airport Class B Airspace Area, FL [Docket No. FAA-2005-20700; Airpsace Docket No. 04-AWA-8] (RIN: 2120-AA66) received February 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7621. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of the Minneapolis Class B Airspace Area; MN [Docket No. FAA-2003-15471; Airspace Docket No. 03-AWA-6] (RIN: 2120-AA66) received February 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HASTINGS of Washington: Committee on Rules. House Resolution 832. Resolution providing for consideration of the bill (H.R. 5427) making appropriations for energy and water development for the fiscal year ending September 30, 2007, and for other purposes (Rept. 109–479). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. REYNOLDS (for himself, Mr. ENGLISH of Pennsylvania, Mr. JONES of North Carolina, Mr. DANIEL E. LUNGREN of California, Mr. DOOLITTLE, Mr. EHLERS, Mr. SOUDER, Ms. GINNY BROWN-WAITE of Florida, Mr. BISHOP of Utah, Mr. RAMSTAD, Mr. KUHL of New York, Mr. FILNER, Mr. MCCOTTER, Mr. BROWN of South Carolina, Mrs. MYRICK, Mr. HALL, Mr. MILLER of Florida, Mr. JEFFERSON, Mr. FOSSELLA, Ms. FOXX, Ms. CARSON, and Mr. DUNCAN):

H.R. 5452. A bill to make the National Parks and Federal Recreational Lands Pass available at a discount to certain veterans; to the Committee on Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SHIMKUS (for himself, Mr. BOUCHER, Mr. AKIN, Mr. COSTELLO, Mrs. CUBIN, Mr. RAHALL, Mr. HUNTER, Mr. SKELTON, Mr. ENGLISH of Pennsylvania, and Mr. POMEROY):

H.R. 5453. A bill to amend the Internal Revenue Code of 1986 to extend the excise tax credits for certain liquid fuel derived from coal; to the Committee on Ways and Means.

By Mr. SENSENBRENNER:

H.R. 5454. A bill to authorize salary adjustments for Justices and judges of the United States for fiscal year 2007; to the Committee on the Judiciary.

By Mr. SALAZAR:

H.R. 5455. A bill to require the Secretary of Veterans Affairs to provide free credit monitoring and credit reports for veterans and others affected by the theft of veterans' personal data, to ensure that such persons are appropriately notified of such thefts, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BURTON of Indiana:

H.R. 5456. A bill to respond to the crisis of illegal immigration in the United States; to the Committee on the Judiciary, and in addition to the Committees on Homeland Security, Education and the Workforce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DOOLITTLE:

H.R. 5457. A bill to supersede certain judicial orders interfering with the implementation of amendments to section 235 of the Immigration and Nationality Act; to the Committee on the Judiciary.

By Mr. AL GREEN of Texas (for himself, Mr. GORDON, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. JACKSON-LEE of Texas, and Ms. MATSUI):

H.R. 5458. A bill to provide for the National Science Foundation to make grants for the establishment of summer science and mathematics camps for middle school and high school students; to the Committee on Science.

By Mrs. JONES of Ohio:

H.R. 5459. A bill to authorize funds for the United States Marshals Service's Fugitive Safe Surrender Program; to the Committee on the Judiciary.

By Mr. KOLBE:

H.R. 5460. A bill to authorize the Secretary of the Interior, acting through the Bureau of Reclamation, to conduct a feasibility study of the Sierra Vista Subwatershed in the State of Arizona; to the Committee on Resources.

By Mr. MELANCON (for himself, Mr. BAKER, Mr. MCCRERY, Mr. ALEXANDER, Mr. BOUSTANY, Mr. JINDAL, and Mr. JEFFERSON):

H.R. 5461. A bill to authorize the Secretary of the Army to carry out water resources projects and activities for the coastal area of Louisiana, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mrs. MUSGRAVE:

H.R. 5462. A bill to suspend the Federal highway fuels taxes, to authorize the leasing, development, production, and transportation of oil and gas in and from the Coastal Plain of Alaska, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MUSGRAVE:

H.R. 5463. A bill to amend the Internal Revenue Code of 1986 to repeal the increase in the age of minor children whose unearned income is taxed as if parent's income; to the Committee on Ways and Means.

By Mr. HINOJOSA:

H. Con. Res. 413. Concurrent resolution expressing appreciation for the life and service of Lloyd Bentsen and expressing sympathy to his family; to the Committee on House Administration.

By Mr. CLAY (for himself and Mr. COSTELLO):

H. Con. Res. 414. Concurrent resolution recognizing and honoring the life achievements of Katherine Dunham for being one of the world's most respected dancers, a teacher, mentor, choreographer, author, actress, and humanitarian; to the Committee on Education and the Workforce.

By Mr. HINCHEY (for himself, Mrs. BONO, Mrs. CAPPS, and Mr. HAYWORTH):

H. Res. 833. A resolution expressing the sense of the House of Representatives with regard to the importance of National Women's Health Week, which promotes awareness of diseases that affect women and which encourages women to take preventive measures to ensure good health; to the Committee on Energy and Commerce.

By Ms. NORTON:

H. Res. 834. A resolution congratulating Kim Burke-Ables for her exceptional dedication to the students of Benjamin Banneker Academic High School in Washington, D.C. and her excellence as a teacher resulting in her selection as the 2006 District of Columbia Teacher of the Year, in recognition of her work; to the Committee on Government Reform.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 65: Mr. OSBORNE, Mr. DENT, and Mr. MARSHALL.
H.R. 198: Mr. WAXMAN.
H.R. 297: Ms. ESHOO and Mr. DAVIS of Illinois.
H.R. 303: Mr. SAXTON.
H.R. 354: Mr. FITZPATRICK of Pennsylvania.
H.R. 558: Mr. RUPPERSBERGER.
H.R. 697: Mr. BROWN of Ohio.
H.R. 791: Ms. SLAUGHTER.
H.R. 808: Mr. ENGEL and Mr. DINGELL.
H.R. 819: Mr. KENNEDY of Minnesota.
H.R. 1217: Mr. STUPAK.
H.R. 1431: Ms. MOORE of Wisconsin.
H.R. 1494: Mr. KLINE.
H.R. 1518: Mr. KILDEE.
H.R. 1558: Mr. RYAN of Wisconsin.
H.R. 1582: Mr. HAYWORTH.
H.R. 1594: Ms. HERSETH.
H.R. 1619: Mr. FARR.
H.R. 1816: Mr. GOODE.
H.R. 1872: Mrs. NORTHUP.
H.R. 2178: Ms. MCCOLLUM of Minnesota, Mr. DEFAZIO, Mr. REYES, and Mr. SERRANO.
H.R. 2199: Mr. ALLEN.
H.R. 2350: Mr. PETERSON of Pennsylvania.
H.R. 2390: Mrs. JO ANN DAVIS of Virginia.
H.R. 2861: Mr. HAYWORTH.
H.R. 3022: Mr. MCNULTY, Mr. JEFFERSON, Mr. MILLER of North Carolina, and Mr. CHANDLER.
H.R. 3034: Mr. CONYERS, Ms. BORDALLO, Mr. RYAN of Ohio, and Mr. TOWNS.
H.R. 3061: Mrs. NORTHUP.
H.R. 3082: Mr. EDWARDS.
H.R. 3263: Mr. SHAYS.
H.R. 3427: Mr. ROTHMAN and Ms. MCKINNEY.
H.R. 3478: Mr. GIBBONS and Ms. JACKSON-LEE of Texas.
H.R. 3492: Mr. PASCRELL.
H.R. 3588: Mr. HAYWORTH and Mr. KUHL of New York.
H.R. 3762: Ms. DEGETTE.
H.R. 3781: Mr. BLUMENAUER.
H.R. 3852: Mr. UDALL of Colorado.
H.R. 3964: Mr. ACKERMAN.
H.R. 4008: Mr. PORTER.
H.R. 4025: Mrs. JO ANN DAVIS of Virginia.
H.R. 4033: Mr. WYNN, Mr. HOLDEN, Mr. ACKERMAN, Mr. LARSEN of Washington, Mr. WELDON of Pennsylvania, Mr. RAHALL, Mr. KENNEDY of Minnesota, Mr. OLVER, and Mr. MEEHAN.
H.R. 4052: Mr. WAXMAN.
H.R. 4098: Mr. BROWN of Ohio and Mrs. MALONEY.
H.R. 4197: Mr. LANTOS.
H.R. 4232: Mr. TOWNS.
H.R. 4259: Ms. JACKSON-LEE of Texas.

H.R. 4318: Mr. WILSON of South Carolina.
H.R. 4341: Mr. BROWN of South Carolina, Ms. GRANGER, and Mr. BURGESS.
H.R. 4350: Ms. LEE.
H.R. 4381: Mr. ALEXANDER, Ms. HARRIS, Mr. MARIO DIAZ-BALART of Florida, and Mr. MILLER of Florida.
H.R. 4423: Mr. AL GREEN of Texas and Mr. CHABOT.
H.R. 4435: Ms. JACKSON-LEE of Texas.
H.R. 4450: Mrs. KELLY.
H.R. 4469: Mr. COSTA.
H.R. 4495: Mr. CONAWAY.
H.R. 4517: Mr. MARCHANT.
H.R. 4560: Mr. UPTON.
H.R. 4562: Ms. SCHWARTZ of Pennsylvania, Mr. MATHESON, Mr. VAN HOLLEN, Mr. KIRK, Mr. BISHOP of New York, Mr. SAXTON, and Mr. SCHWARZ of Michigan.
H.R. 4573: Mr. MCHUGH.
H.R. 4597: Mr. GONZALEZ and Mr. CARTER.
H.R. 4672: Mr. SHERWOOD.
H.R. 4695: Ms. KILPATRICK of Michigan.
H.R. 4734: Mr. BACA, Mr. BECERRA, Mr. ETHERIDGE, Mr. GONZALEZ, Mr. HINOJOSA, Mr. ORTIZ, Mr. OWENS, and Ms. SOLIS.
H.R. 4747: Mr. SULLIVAN, Mr. LANGEVIN, Mr. REYES, Mr. MORAN of Virginia, Mr. SPRATT, Mr. SKELTON, Mr. BISHOP of Georgia, and Ms. WATERS.
H.R. 4751: Ms. MILLENDER-MCDONALD.
H.R. 4824: Mr. KIND and Mr. GORDON.
H.R. 4825: Mrs. LOWEY, Mr. ENGEL, and Ms. SCHAKOWSKY.
H.R. 4843: Mrs. JO ANN DAVIS of Virginia.
H.R. 4894: Mr. MARCHANT, Mr. CASTLE, Mr. NORWOOD, Mr. EHLERS, and Mr. SCHWARZ of Michigan.
H.R. 4927: Mr. ROTHMAN and Mr. MARSHALL.
H.R. 4949: Mr. CONYERS.
H.R. 5005: Mr. GARRETT of New Jersey.
H.R. 5013: Mr. DAVIS of Tennessee, Mr. GOODE, and Mr. BLUNT.
H.R. 5017: Ms. MCCOLLUM of Minnesota, Mr. GONZALEZ, and Ms. JACKSON-LEE of Texas.
H.R. 5022: Mr. YOUNG of Alaska, Mr. FARR, and Ms. MATSUI.
H.R. 5039: Mr. PEARCE.
H.R. 5058: Mr. BISHOP of Georgia.
H.R. 5100: Mr. RYAN of Wisconsin and Mr. KUHL of New York.
H.R. 5102: Mr. KUCINICH.
H.R. 5106: Ms. MCCOLLUM of Minnesota.
H.R. 5113: Mr. HOLT, Ms. MCKINNEY, Ms. MOORE of Wisconsin, and Mr. PALLONE.
H.R. 5121: Ms. CARSON, Mr. MICA, Ms. MATSUI, Mr. PLATTS, Mr. CLEAVER, Mr. SIMMONS, Mr. CASE, and Mr. BACHUS.
H.R. 5129: Mr. SENSENBRENNER.
H.R. 5139: Ms. MATSUI.
H.R. 5140: Ms. MCKINNEY and Mr. BISHOP of Georgia.
H.R. 5159: Mr. WEXLER.
H.R. 5201: Mr. WEINER, Mr. CARDIN, Mr. RUPPERSBERGER, Mrs. MYRICK, Mr. DAVIS of Illinois, Mr. OXLEY, and Mr. WICKER.
H.R. 5204: Mr. GRIJALVA, Mr. RYAN of Ohio, Ms. SCHAKOWSKY, and Mr. COSTELLO.
H.R. 5209: Ms. MCKINNEY.
H.R. 5230: Mr. OTTER.
H.R. 5255: Mr. ALEXANDER and Mr. KENNEDY of Minnesota.
H.R. 5262: Mr. FEENEY, Mrs. NORTHUP, Mrs. DRAKE, Mr. COLE of Oklahoma, Mr. SHADEGG, Mr. GILLMOR, Mr. BARTLETT of Maryland, Ms. HART, Mr. MANZULLO, Mr. GARRETT of New Jersey, Mr. SHERWOOD, Mr. SHAW, Mr. RENZI, Mr. FOLEY, Mrs. JOHNSON of Connecticut, and Mr. MCCRERY.
H.R. 5280: Mr. EHLERS.
H.R. 5290: Mr. GONZALEZ.
H.R. 5312: Ms. LINDA T. SÁNCHEZ of California and Mr. KIND.
H.R. 5319: Mr. KLINE, Mr. FOSSELLA, and Mr. MARCHANT.
H.R. 5336: Mr. KINGSTON and Mr. BISHOP of Georgia.
H.R. 5337: Mr. CAMP of Michigan, Mr. CLAY, Mr. FORD, Mr. MEEKS of New York, Mr. MOORE of Kansas, Ms. ROS-LEHTINEN, Mr. SCOTT of Georgia, Mr. SESSIONS, Mr. STEARNS, and Mr. WAMP.
H.R. 5353: Mrs. EMERSON.
H.R. 5362: Ms. MCCOLLUM of Minnesota.
H.R. 5364: Ms. MCCOLLUM of Minnesota.
H.R. 5371: Ms. DEGETTE, Mrs. LOWEY, Mr. BISHOP of New York, Ms. WATSON, Ms. LEE, and Mr. MORAN of Virginia.
H.R. 5388: Ms. PELOSI, Mr. PAYNE, and Mr. UDALL of Colorado.
H.R. 5397: Mr. BISHOP of Georgia.
H.R. 5403: Mr. THOMAS, and Mr. CRAMER.
H.R. 5420: Mr. MARSHALL, and Mr. HINCHEY.
H.R. 5432: Mr. ROGERS of Kentucky, Ms. JACKSON-LEE of Texas, and Mrs. NORTHUP.
H.R. 5442: Mr. TIBERI, Mr. FORTUÑO, and Mr. BARTLETT of Maryland.
H.R. 5444: Mr. SCHWARZ of Michigan.
H.J. Res. 58: Mr. PEARCE, Mr. SCOTT of Georgia, Mr. FORTUÑO, Mr. BOSWELL, Mrs. DRAKE, Mr. CLEAVER, and Mr. COBLE.
H.J. Res. 73: Mr. NEAL of Massachusetts.
H. Con. Res. 42: Mr. CONAWAY.
H. Con. Res. 106: Mr. NEAL of Massachusetts.
H. Con. Res. 338: Mrs. NAPOLITANO, Mr. CHANDLER, and Mr. FERGUSON.
H. Con. Res. 343: Mr. CROWLEY.
H. Con. Res. 348: Mr. PAYNE, and Ms. JACKSON-LEE of Texas.
H. Con. Res. 401: Mr. PAYNE, Mrs. MYRICK, Mr. HIGGINS, Mr. ABERCROMBIE, Mr. BACA, Mr. BRADY of Pennsylvania, Mr. ENGEL, Mr. HOLDEN, Mr. KUCINICH, Ms. MILLENDER-MCDONALD, Mr. MURTHA, Ms. WATERS, Mr. CAPUANO, Mr. MORAN of Virginia, Mr. LEACH, and Mr. OLVER.
H. Con. Res. 407: Mr. DENT, Ms. HART, Mr. SHUSTER, Mr. SHERWOOD, Mr. GERLACH, Mr. ENGLISH of Pennsylvania, Mr. PITTS, Mr. PETERSON of Pennsylvania, Mr. WELDON of Pennsylvania, Mr. HOLDEN, and Mr. PLATTS.
H. Con. Res. 408: Mrs. DRAKE, Ms. ROS-LEHTINEN, Mr. MCNULTY, Ms. HARRIS, Mr. MACK, Mr. SMITH of New Jersey, Mr. WELLER, Mr. PITTS, Mr. KING of New York, and Mr. BRADLEY of New Hampshire.
H. Con. Res. 412: Mr. SHERMAN, Ms. WASSERMAN SCHULTZ, Mr. LANTOS, Mr. BACHUS, Mr. KINGSTON, Mr. NORWOOD, Mrs. MCCARTHY, and Mr. MCNULTY.
H. Res. 222: Mr. MCNULTY.
H. Res. 295: Mr. PASCRELL.
H. Res. 498: Mr. COLE of Oklahoma.
H. Res. 690: Mr. MANZULLO, Mr. BOOZMAN, and Mr. INGLIS of South Carolina.
H. Res. 723: Mr. FITZPATRICK of Pennsylvania.
H. Res. 745: Mr. HOLDEN and Mr. FILNER.
H. Res. 759: Mrs. JO ANN DAVIS of Virginia, Ms. MCCOLLUM of Minnesota, Ms. SCHAKOWSKY, and Mr. BECERRA.
H. Res. 777: Mr. DAVIS of Florida, Ms. KILPATRICK of Michigan, Mr. FATTAH, Mr. BERMAN, and Mr. FEENEY.
H. Res. 786: Mr. MILLER of Florida, Mr. GARRETT of New Jersey, Mrs. JO ANN DAVIS of Virginia, and Mr. GIBBONS.
H. Res. 790: Mr. WEXLER.
H. Res. 793: Ms. GINNY BROWN-WAITE of Florida, Mr. BARRETT of South Carolina, Mrs. MYRICK, and Mr. DUNCAN.
H. Res. 794: Mr. WU, Ms. HARRIS, Mr. ABERCROMBIE, Mr. ROTHMAN, Mrs. NAPOLITANO, Mr. ENGLISH of Pennsylvania, Ms. PELOSI, Mrs. KELLY, Mr. BISHOP of Georgia, Mr. SOUDER, Mr. MCGOVERN, Mrs. JO ANN DAVIS of Virginia, and Mr. TANCREDO.
H. Res. 799: Mr. CROWLEY, Mr. LEACH, Mrs. JO ANN DAVIS of Virginia, Mr. ANDREWS, and Mr. BROWN of Ohio.
H. Res. 800: Mr. FOLEY, Mr. POMEROY, Mr. REICHERT, and Mr. CONAWAY.
H. Res. 801: Mr. JEFFERSON, Mr. MCCOTTER, and Mr. CROWLEY.
H. Res. 828: Mr. HYDE, Mr. MCCOTTER, Mr. BURTON of Indiana, Mr. SMITH of New Jersey, and Ms. ROS-LEHTINEN.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 5384

OFFERED BY: MR. GERLACH

AMENDMENT NO. 19: At the end of the bill (before the short title), insert the following new section:

SEC. 7___. (a) LIMITATION ON USE OF FUNDS.—None of the funds appropriated or otherwise made available by this Act shall be used to implement the limitation in section 728 of this Act to carry out or administer a program authorized by section 2503 of Public Law 107–171 in excess of $73,500,000.

(b) CORRESPONDING REDUCTION IN FUNDS.—The amounts otherwise provided by this Act are revised by reducing the amount made available for ''COMMON COMPUTING ENVIRONMENT'' by $23,500,000, to be derived from rural development-related activities, Natural Resource Conservation Service-related activities, and Farm Service Agency-related activities in the amount of $1,531,238, $4,938,488, and $17,030,071, respectively.

H.R. 5384

OFFERED BY: MR. KING OF IOWA

AMENDMENT NO. 20: At the end of the bill (before the short title), add the following new section:

SEC. ____. (a) SHORT TITLE.—This section may be cited as the ''Livestock Identification and Marketing Opportunities Act''.

(b) FINDINGS.—Congress finds the following:

(1) For purposes of animal health investigation and surveillance, there needs to be an identification system that can trace animals from the time of first movement of the animal from its original premise to the time of slaughter of the animal in less than 48 hours.

(2) The beef industry estimates that the United States cattle industry lost approximately $3,000,000,000 in export value on beef, beef variety meats, hides, and tallow during the 12 months after a December 2003 diagnosis in the United States of bovine spongiform encephalopathy. A livestock identification system may have prevented some of this loss.

(3) In order to be as efficient as possible, the livestock identification system needs to be automated and electronic with participants using compatible technologies.

(4) The livestock identification system needs to be flexible enough to adapt to changes in technology and to the demands of the industry and the markets.

(5) The best technology available should be used for the livestock identification system while still allowing for registration into the system for livestock owners who are economically disadvantaged.

(6) Confidentiality of information on animal movements, sales, and ownership is necessary to ensure that livestock owners have the confidence to comply with and fully participate in the livestock identification system.

(7) Besides animal disease surveillance, the livestock identification system should provide a commercial information exchange infrastructure that would allow for enhanced marketing opportunities.

(c) LIVESTOCK IDENTIFICATION BOARD.—

(1) ESTABLISHMENT.—There is established a board to be known as the ''Livestock Identification Board''.

(2) DUTIES.—The duties of the Board shall be to—

(A) establish and maintain an electronic livestock identification system that—

(i) is capable of tracing all livestock in the United States from the time of first movement of the livestock from its original

premise to the time of slaughter of such livestock in less than 48 hours;

(ii) tracks all relevant information about the livestock, including—

(I) the livestock identification number or the group or lot identification number for the livestock, as applicable;

(II) the date the livestock identification number or the group or lot identification number was assigned;

(III) the premise identification number;

(IV) the species of the livestock;

(V) the date of birth of the livestock, to the extent possible;

(VI) the sex of the livestock;

(VII) any other information the Board considers appropriate for animal disease surveillance; and

(VIII) any other information that the person who owns or controls the livestock voluntarily submits to the Board;

(B) maintain information obtained through the livestock identification system in a centralized data system; and

(C) determine the official identification technology to be used to track animals under the livestock identification system.

(3) POWERS.—The Board may—

(A) prescribe and collect fees to recover the costs of the livestock identification system; and

(B) establish and maintain a grant program to assist persons with fulfilling the requirements of the livestock identification system.

(4) MEMBERSHIP.—

(A) VOTING MEMBERS.—The Board shall be composed of 7 voting members appointed by the Secretary of Agriculture, in consultation with the Chair and ranking minority member of the relevant congressional committees, of whom—

(i) 1 member shall be a representative of cattle owners;

(ii) 1 member shall be a representative of swine owners;

(iii) 1 member shall be a representative of sheep and goat owners;

(iv) 1 member shall be a representative of poultry owners;

(v) 1 member shall be a representative of livestock auction market operators;

(vi) 1 member shall be a representative of meat processors; and

(vii) 1 member shall be a person actively engaged in the livestock industry.

(B) NON-VOTING MEMBERS.—The Board shall include 2 non-voting members appointed by the Secretary, in consultation with the Chair and ranking minority member of the relevant congressional committees, of whom—

(i) 1 member shall be a representative of the Department of Agriculture; and

(ii) 1 member shall be a representative of State or tribal veterinarians or State or tribal agriculture agencies.

(C) TERMS.—

(i) IN GENERAL.—Each member shall be appointed for a term of 3 years, except as provided by clauses (ii) and (iii).

(ii) TERMS OF INITIAL APPOINTEES.—As designated by the Secretary at the time of appointment, of the voting members first appointed—

(I) the members appointed under clauses (ii), (iv), and (v) of subparagraph (A) shall be appointed for a term of 2 years; and

(II) the members appointed under subparagraphs (iii) and (vii) of subparagraph (A) shall be appointed for a term of 1 year.

(iii) VACANCIES.—Any member appointed to fill a vacancy occurring before the expiration of the term for which the member's predecessor was appointed shall be appointed only for the remainder of that term. A member may serve after the expiration of that member's term until a successor has taken office. A vacancy in the Board shall be filled in the manner in which the original appointment was made.

(D) CHAIRPERSON.—The Chairperson of the Board shall be elected by its members.

(E) APPOINTMENT.—The Secretary shall appoint all members of the Board not later than 45 days after the date of the enactment of this section.

(5) MEETINGS.—

(A) INITIAL MEETING.—Not later than 60 days after the date of the enactment of this section, the Board shall hold its initial meeting.

(B) SUBSEQUENT MEETINGS.—The Board shall meet at the call of the Chairperson.

(6) QUORUM.—4 voting members of the Board shall constitute a quorum.

(7) PAY.—Members of the Board shall serve without compensation.

(8) TRAVEL EXPENSES.—Each member of the Board shall receive travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5, United States Code.

(9) STAFF.—The Board may appoint and fix the pay of personnel as the Board considers appropriate.

(10) CONTRACTS.—The Board may contract with or compensate any persons for goods or services.

(11) RULES AND REGULATIONS.—The Board may issue such rules and regulations as may be necessary to carry out this section.

(12) IMPLEMENTATION.—

(A) IN GENERAL.—The Board shall implement the livestock identification system established pursuant to this section not later than December 31, 2008.

(B) REPORT.—Not later than one year after the date of the enactment of this section, and quarterly thereafter until December 31, 2010, the Board shall submit to the Secretary of Agriculture and the relevant congressional committees a report on the status of the implementation of the livestock identification system, including—

(i) for each species subject to the system, the number of animals or groups of animals tracked by the system; and

(ii) the percentage of each animal species subject to the livestock identification system that are tracked by the system, which shall be determined by dividing the number submitted under clause (i) for a species by the total number of animals of such species in the United States.

(d) PREMISE IDENTIFICATIONS.—Not later than nine months after the date of the enactment of this section, the Secretary of Agriculture shall establish a premise identification system for all premises in the United States. The premise identification data shall be made available to the Board and shall include—

(1) a premise identification number;

(2) the name of the entity that owns or controls the premise;

(3) contact information for the premise, including a person, address, and phone number;

(4) the type of operation at the premise; and

(5) the date the premise number was assigned.

(e) ENFORCEMENT; FIRST ENTRY INTO COMMERCE.—Subject to subsection (f)(2), the Secretary of Agriculture shall verify that each animal, or group of animals, where applicable, subject to the livestock identification system established pursuant to subsection (c) is properly identified upon first entry of the animal into commerce. Any animal or group of animals that the Secretary determines is not properly identified shall be identified using the official identification technology before entering commerce.

(f) VOLUNTARY PARTICIPATION FOR OTHER ANIMAL SPECIES.—

(1) IN GENERAL.—The owner of an animal or group of animals, where applicable, that is not subject to the livestock identification system established pursuant to subsection (c) may voluntarily subject such animal or group of animals to tracking by such livestock identification system.

(2) ENFORCEMENT EXEMPTION.—The voluntary tracking of such animal or group of animals shall not make the animal or group of animals subject to the enforcement actions of the Secretary under subsection (e).

(g) RELEASE OF LIVESTOCK IDENTIFICATION NUMBERING INFORMATION.—

(1) FREEDOM OF INFORMATION ACT.—Information obtained through the livestock identification system established pursuant to subsection (c) or the premise identification system established pursuant to subsection (d) is exempt from disclosure under section 552 of title 5, United States Code.

(2) CHARACTER OF LIVESTOCK IDENTIFICATION SYSTEM INFORMATION.—Except as provided in paragraphs (3) and (4), information obtained through the livestock identification system or the premise identification system—

(A) may not be released;

(B) shall not be considered information in the public domain; and

(C) shall be considered commercial information that is privileged and confidential.

(3) LIMITED RELEASE OF INFORMATION AUTHORIZED.—Notwithstanding paragraph (2), the Board may release information obtained through the livestock identification system or the premise identification system (other than information voluntarily submitted pursuant to subsection (c)(2)(A)(ii)(VIII)) regarding particular livestock if—

(A) a disease or pest poses a significant threat to the livestock that the information involves;

(B) the release of the information is related to actions the Board may take under this section; and

(C) the person obtaining the information needs the information for reasons consistent with the public health and public safety purposes of the livestock identification system, as determined by the Secretary of Agriculture.

(4) LIMITED RELEASE OF INFORMATION REQUIRED.—

(A) IN GENERAL.—Notwithstanding paragraph (2), the Board shall promptly release information obtained through the livestock identification system or the premise identification system (other than information voluntarily submitted pursuant to subsection (c)(2)(A)(ii)(VIII)) regarding particular livestock—

(i) to the person who owns or controls the livestock, if the person requests such information;

(ii) to the Secretary of Agriculture for the purpose of animal disease surveillance;

(iii) to a State or tribal veterinarian or a State or tribal agriculture agency for the purpose of animal disease surveillance;

(iv) to the Attorney General for the purpose of investigation or prosecution of a criminal act;

(v) to the Secretary of Homeland Security for the purpose of national security;

(vi) to the Secretary of Health and Human Services for the purpose of protection of public health; and

(vii) to the government of a foreign country, if release of the information is necessary to trace livestock threatened by disease or pest, as determined by the Secretary.

(B) INFORMATION VOLUNTARILY SUBMITTED.—Notwithstanding paragraph (2), on the request of a person who owns or controls

livestock, the Board shall release information voluntarily submitted to the Board pursuant to subsection (c)(2)(A)(ii)(VIII) regarding such livestock to such person or to another person.

(5) CONFLICT OF LAW.—If the information disclosure limitations or requirements of this subsection conflict with information disclosure limitations or requirements of a State law and such conflict involves interstate or international commerce, this subsection shall take precedence over the State law.

(h) REPORT ON IMPACT OF LIVESTOCK IDENTIFICATION SYSTEM.—Not later than 180 days after the date of the enactment of this section, the Secretary of Agriculture shall submit to the Committees on Appropriations of the House of Representatives and the Senate, the Committee on Agriculture of the House of Representatives, and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report on a livestock identification system, including—

(1) the lessons learned and the effectiveness of the animal identification system pilot programs funded in fiscal year 2005;

(2) an analysis of the economic impact of a livestock identification system on the livestock industry; and

(3) the expected cost of implementing a livestock identification system.

(i) CONFORMING AMENDMENTS.—Subsection (f) of section 282 of the Agricultural Marketing Act of 1946 (7 U.S.C. 1638a) is amended—

(1) by striking ''CERTIFICATION OF ORIGIN.—'' and all that follows through ''To certify the country of origin'' and inserting ''CERTIFICATION OF ORIGIN; EXISTING CERTIFICATION PROGRAMS.—To certify the country of origin''; and

(2) by redesignating subparagraphs (A) through (E) as paragraphs (1) through (5), respectively.

(j) DEFINITIONS.—In this section:

(1) The term ''Board'' means the Livestock Identification Board established under subsection (c)(1).

(2) The term ''livestock'' means cattle, swine, sheep, goats, and poultry.

(3) The term ''premise'' means a location that holds, manages, or boards animals.

(4) The term ''relevant congressional committees'' means the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate.

(5) The term ''Secretary'' means the Secretary of Agriculture.

(k) AUTHORIZATION OF APPROPRIATONS.—There is authorized to be appropriated to carry out this section $33,000,000 for each of fiscal years 2007 through 2009.

H.R. 5384

OFFERED BY: MR. RUSH

AMENDMENT NO. 21: At the end of the bill (before the short title), insert the following new section:

SEC. 7____. It is the sense of Congress that the Secretary of Agriculture should conduct a study to evaluate the impact of the lack of readily available fresh fruits and vegetables in economically underserved areas on persons residing in such areas.

H.R. 5427

OFFERED BY: MR. DEAL OF GEORGIA

AMENDMENT NO. 1: Page 14, strike lines 12 through 17.

H.R. 5427

OFFERED BY: MR. HEFLEY

AMENDMENT NO. 2: Page 47, after line 2, insert the following new section:

SEC. 503. Each amount appropriated or otherwise made available by this Act that is not required to be appropriated or otherwise made available by a provision of law is hereby reduced by 1 percent.

H.R. 5427

OFFERED BY: MR. BROWN OF OHIO

AMENDMENT NO. 3: At the end of the bill (preceding the short title), insert the following:

SEC. ____. None of the funds made available in this Act may be used to enter into a no-bid contract with a company based outside the United States for the purpose of nuclear weapons screening of cargo shipping containers.

H.R. 5427

OFFERED BY: MR. BARTON OF TEXAS

AMENDMENT NO. 4: Page 47, after line 2, insert the following new section:

SEC. 503. None of the funds made available by this Act from the Nuclear Waste Fund may be used to carry out the Global Nuclear Energy Partnership program.

H.R. 5427

OFFERED BY: MR. BISHOP OF NEW YORK

AMENDMENT NO. 5: At the end of the bill, before the short title, insert the following new section:

SEC. 503. None of the funds made available by this Act may be used by the Federal Energy Regulatory Commission to review applications for floating storage and regasification units in areas designated under section 320 of the Federal Water Pollution Control Act (33 U.S.C. 1330) as an estuary of national significance.

H.R. 5427

OFFERED BY: MR. PALLONE

AMENDMENT NO. 6: Page 6, line 14, after ''Mid Atlantic'', insert ''(including $6,000,000 of such $143,250,000 for the NY/NJ Harbor drift removal program)''.

H.R. 5441

OFFERED BY: MR. BROWN OF OHIO

AMENDMENT NO. 1: In the item relating to ''DEPARTMENTAL MANAGEMENT AND OPERATIONS—Office of the Secretary and Executive Management'', after the first dollar amount, insert ''(increased by $500,000) (reduced by $500,000)''.

H.R. 5441

OFFERED BY: MR. DOOLITTLE

AMENDMENT NO. 2: Page 62, after line 17, insert the following:

SEC. 537. None of the funds made available by this Act may be used to carry out expedited removal of aliens under section 235 of the Immigration and Nationality Act unless inadmissible citizens and nationals of El Salvador are subject to the expedited removal procedures set forth in such section to the same extent as other inadmissible aliens.