

offered by the gentleman from Tennessee [Mr. DUNCAN] that the House suspend the rules and pass the bill, H.R. 3159, as amended.

The question was taken.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 5 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

GENERAL LEAVE

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on all three of the bills just considered, H.R. 3267, H.R. 3536, and H.R. 3159.

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

There was no objection.

CENSUS OF AGRICULTURE ACT OF 1996

Mr. COMBEST. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3665) to transfer to the Secretary of Agriculture the authority to conduct the census of agriculture, as amended.

The Clerk read as follows:

H.R. 3665

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Census of Agriculture Act of 1996".

SEC. 2. TRANSFER TO THE SECRETARY OF AGRICULTURE OF THE AUTHORITY TO CONDUCT THE CENSUS OF AGRICULTURE

(a) IN GENERAL.—Section 526 of the Revised Statutes (7 U.S.C. 2204) is amended by adding at the end the following.

"(c)(1) The Secretary shall, in 1998 and in every 5th year beginning after 1998, take a census of agriculture. In connection with each such census, the Secretary may conduct any survey or other data collection, and employ any sampling or other statistical method, that the Secretary determines is necessary and appropriate.

"(2) The data collected in each census taken under this subsection shall relate to the year immediately preceding the year in which the census is taken.

"(3) Any person who refuses or neglects to answer questions submitted to such person in connection with a census or survey under this subsection, or who answers any such questions falsely, shall be subject to section 221 of title 13, United States Code, to the same extent and in the same manner as if—

"(A) section 142 of such title 13 had remained in effect; and

"(B) the census or survey were a census or survey under such section 142, rather than under this subsection.

The failure or refusal on the part of any person to disclose such person's social security number in response to a request made in connection with any census or other activity under this subsection shall not be a violation under the preceding sentence.

"(4) Each census under this subsection shall include each State, and as may be de-

termined by the Secretary, the District of Columbia, the Virgin Islands, Guam, the Commonwealth of the Northern Mariana Islands, and the Commonwealth of Puerto Rico, and any such other possessions and areas over which the United States exercises jurisdiction, control, or sovereignty. Inclusion of other areas over which the United States exercises jurisdiction, control, or sovereignty shall be subject to the concurrence of the Secretary of State.

"(5) The Secretary of Commerce may, upon written request of the Secretary of Agriculture, furnish any information collected under title 13, United States Code, which the Secretary of Agriculture considers necessary for the taking of a census or survey under this subsection. Any information so furnished may not be used for any purpose other than the statistical purposes for which it is supplied.

"(6) The Secretary of Agriculture shall, upon written request of the Secretary of Commerce, furnish any information collected in a census taken under this subsection which the Secretary of Commerce considers necessary for the taking of a census or survey under title 13, United States Code. Any information so furnished may not be used for any purpose other than the statistical purposes for which it is supplied.

"(7) Any rules or regulations necessary to carry out this subsection may be prescribed by—

"(A) the Secretary, to the extent that matters within the jurisdiction of the Secretary are involved; and

"(B) the Secretary of Commerce, to the extent that matters within the jurisdiction of the Secretary of Commerce are involved.".

(b) CONFORMING AMENDMENTS.—Effective October 1, 1998—

(1) section 142 of title 13, United States Code, and the item relating to section 142 in the table of sections for chapter 5 of such title 13, are repealed; and

(2) section 343(a)(11)(F) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991(a)(11)(F)) is amended by inserting "or section 526(c) of the Revised Statutes (7 U.S.C. 2204(c)), as the case may be," before "except".

SEC. 3. PROVISIONS RELATING TO CONFIDENTIALITY OF INFORMATION.

(a) INFORMATION FURNISHED TO THE DEPARTMENT OF AGRICULTURE.—

(1) AUTHORITY TO FURNISH INFORMATION.—Section 9(a) of title 13, United States Code, is amended by striking "chapter 10 of this title—" and

(2) CONFIDENTIALITY OF INFORMATION.—Section 1770(d)(5) of the Food Security Act of 1985 (7 U.S.C. 2276(d)(5)) is amended to read as follows:

"(5) subsections (a) and (c) of section 526 of the Revised Statutes (7 U.S.C. 2204(a) and (c));".

(b) INFORMATION FURNISHED TO THE DEPARTMENT OF COMMERCE.—

(1) AUTHORITY TO FURNISH INFORMATION.—Section 1770 of the Food Security Act of 1985 is amended by adding at the end the following:

"(e) Nothing in this section shall be considered to prohibit any release of information under section 526(c)(6) of the Revised Statutes (7 U.S.C. 2204(c)(6)).".

(2) CONFIDENTIALITY OF INFORMATION.—Information furnished under section 526(c)(6) of the Revised Statutes shall, for purposes of section 9 and 214 of title 13, United States Code, be treated as if it were information furnished under the provisions of such title 13.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas [Mr. COMBEST] and the gen-

tleman from Texas [Mr. STENHOLM] each will control 20 minutes.

The Chair recognizes the gentleman from Texas [Mr. COMBEST].

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

Mr. Speaker, H.R. 3665 is a short bill—it simply transfers the authority to conduct the Census on Agriculture from the Secretary of Commerce to the Secretary of Agriculture and eliminates this authority from the Secretary of Commerce as of October 1, 1998.

This census authority change was one that the Senate wanted to include as part of the 1996 farm bill. However, we completed the farm bill conference before we on the House side had a chance to clear this change with the Government Reform Committee.

I, along with Chairman ROBERTS and all the other members of the Agriculture Committee, want to thank all the members and staff of the Government Reform Subcommittee on National Security, International Affairs, and Criminal Justice, Chairman ZELIFF and his ranking member, Mrs. THURMAN, for their help in accommodating this move—everyone worked very hard to get this bill put together very quickly.

In order to cope with the continuing move to streamline and downsize Federal agencies, it has become apparent that moving the authority to conduct the Census on Agriculture from Commerce to USDA makes sense, from both an administrative and cost-effective point of view. In fact, the fiscal year 1997 Agriculture appropriations bill has already shifted the \$17 million in funding for the Census on Agriculture to USDA, rather than the Department of Commerce.

By moving the authority to conduct the census over to USDA, it allows the Department of Commerce to free up the funds otherwise obligated for this census; eliminates the need for a specific line-item in the Commerce Department's appropriation; and locates the census at the agency with the biggest interest in the ag census, without precluding USDA from working with the Commerce Department on actually getting the work done.

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

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

Mr. Speaker, I rise today in support of H.R. 3665, the Census of Agriculture Act of 1996. I would simply like to reiterate to my colleagues what my colleague the gentleman from Texas [Mr. COMBEST] has already said, and that is that this bill does not change the definition of what constitutes a farm nor does it decrease the amount of funding available for other discretionary activities within the Department of Agriculture.

This legislation simply moves the administration of the ag census from the Bureau of the Census within Commerce to the Department of Agriculture. Secretary Glickman has indicated that he

will charge the National Agriculture Statistics Service with continuing to carry out an agricultural census every 5 years. The Ag Statistics Service within USDA is well suited to take over the responsibilities for carrying out the census activities, as they already maintain a network in every state that allows them to put out State by State reports weekly and major reports throughout the year. These reports are utilized by all segments of the agricultural sector in this country and every by our foreign competitors.

I am pleased that Secretary Glickman took the initiative in forging this compromise with the Department of Commerce as well as the Office of Management and Budget to ensure the viability of the ag census for future years. I would also like to thank our colleagues on the Committee on Government Reform and Oversight for their cooperation in ensuring the passage of H.R. 3665 and urge my colleagues to support the passage of this legislation.

Mr. Speaker, I yield such time as he may consume to the gentleman from West Virginia [Mr. WISE].

Mr. WISE. Mr. Speaker, I thank the gentleman from Texas [Mr. STENHOLM] and I thank the gentleman from Texas [Mr. COMBEST]. This is truly a great Texas piece of legislation, but it is very, very important for West Virginia. Let me just say that I appreciate also the full committee chair of both the Committee on Agriculture and the Committee on Government Reform and Oversight for their efforts as well.

Mr. Speaker, this is a very important bill, particularly for rural States, rural areas, and particularly for States that have farming of the type that West Virginia does.

□ 1345

If this piece of legislation did not go through, West Virginia will be the most seriously affected State of any State in the Nation in terms of losing its definition of family farm and losing a lot of farms that presently benefit from that definition. West Virginia presently has over 17,000 farms that are defined as farms by the Department of Census, that is, they have sales in excess of \$1,000. Raising that to \$10,000 would cause 78 percent of our farms in the State to lose that definition.

What that means then is that we would be greatly impacted, farmers would not be able to receive certain tax, favorable tax treatment, the distribution of research funds for farms would be altered and also for college agricultural programs as well as the allocation of soil conservation efforts. So clearly this is a very, very significant piece of legislation for much of rural West Virginia and much of rural America.

Simply, what it does is to move the census functions from the Bureau of Census to the United States Department of Agriculture. That is important because the USDA obviously has clear experience with working with farms

and farm definitions, not so the Bureau of Census.

Also, the Bureau of Census has seen its budget cut in this particular area 31 percent. That means they are not going to be spending as much time focusing on what it is that makes up farming and what is important to farmers. I believe that this consolidation moving to USDA will also integrate the agriculture statistic programs of the two departments and eliminate duplication and promote efficiency. The Bureau of Census, I am happy to say supports this move as well.

The USDA has indicated that at least in the foreseeable future, the near future, they do not foresee changing the threshold definition of farming, that is changing the threshold definition from the present \$1,000. That means that there would not be an immediate increase to 5- or, even as had been proposed in the Bureau of Census, to \$10,000. If that threshold level is raised to \$10,000, 78 percent of West Virginia farms will no longer be defined as a farm and therefore not be eligible for favorable tax treatments in certain instances nor will they count towards the formula monies for various agriculture programs, including Soil Conservation Service and agricultural research efforts.

I think this is an extremely important piece of legislation. I just want the chairman to know, and the ranking member, that just as recently as this weekend at various functions people were coming up to me and saying what is being done about the farm threshold. Am I going to be a farmer or not? I was happy to tell them that it is on the floor Monday afternoon and that it should be voted on.

Now, of course this bill will go to the Senate, so it is important that the Senate as well, the other body, take this piece of legislation up. There is no controversy that I can see. It seems to be widely supported. The Bureau of Census supports it. The United States Department of Agriculture supports it. We have got the Agriculture Committees, the Government Reform Committees supporting it. So, clearly it ought to be able to move quickly and get to the President and we can end this anxiety that presently a lot of farmers in my State and many other States are undergoing as they wonder whether or not they are going to see their farm continue with the farm status which entitled them to certain preferential tax treatments as well as figuring into the formula monies for agricultural functions such as soil conservation and ag research.

So I thank once again those who made this possible. Let me just say of the 17,020 family farms in West Virginia, 13,274, or 78 percent, are very, very grateful to us for moving this bill to the floor so quickly.

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

Mr. Speaker, just in conclusion, I might point out that this is an excel-

lent example of cooperation between various agencies, cooperation between various committees that will now allow us to do the most efficient census possible with the least amount of taxpayer resources and the best utilization of all of the talents available in agriculture already there in order to do the job that needs doing for American agriculture.

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

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

Mr. Speaker, I conclude and say I appreciate the cooperation of my colleague, the gentleman from Texas [Mr. STENHOLM], the comments of the gentleman from West Virginia [Mr. WISE], and would urge our colleagues to support this legislation under the suspension.

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

The SPEAKER pro tempore (Mr. COBLE). The question is on the motion offered by the gentleman from Texas [Mr. COMBEST] that the House suspend the rules and pass the bill, H.R. 3665, as amended.

The question was taken; and (two-thirds having voted in favor thereof), the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. COMBEST. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 365, the bill just passed.

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

There was no objection.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the House stands in recess until approximately 3 p.m.

Accordingly (at 1 o'clock and 50 minutes p.m.), the House stood in recess until approximately 3 p.m.)

□ 1503

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. COBLE) at 3 o'clock and 3 minutes p.m.

DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 1997

The SPEAKER pro tempore. Pursuant to the order of the House on Thursday, July 18, 1996 and rule XXIII, 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. 3845.