

sanctions. He must let the Sudanese Government know that the welcome progress made in reaching an accommodation with the South will not prevent the world from taking action to stop the horror in Darfur. The U.N. ignored warnings of mass murder a decade ago in Rwanda; it must not stand by again.

We should not allow other members of the U.N. Security Council to engage in endless negotiations and delay a vote on the resolution. In this case, every day that goes by without action means more lives lost. Let's vote on the resolution. If the rest of the world refuses to authorize collective action, shame on them. Failure to pass such a resolution would not represent a failure of American leadership; it would be a terrible blot on the world's conscience.

Whether or not the United Nations acts, the United States should take steps on its own. We should make it clear that if the Sudanese Government does not meet the demands in the proposed resolution, the United States will impose travel restrictions on Sudanese officials and move to freeze their assets. Even apart from U.N. action, we can immediately urge other nations to join us in taking these and other measures.

I commend Secretary of State Colin Powell for his decision to travel to Sudan next week and visit the Darfur region. It is critical that the Secretary's visit do more than simply call attention to the tragedy unfolding there. He must make it clear that the failure of Khartoum to fully cooperate in ending the destruction and killings will result in a concerted American effort to punish the Sudanese Government and harness international support to intervene in Darfur.

We must not look back on Darfur 10 years from now and decry the fact that the world failed to act to stop the crime of genocide. Rwanda and other genocides should have taught us that those who knowingly fail to confront such evil are themselves complicit through inaction. We are all God's children. These are crimes against humanity. Let us respond to this unfolding human disaster with the urgency that it demands.

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

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

The SPEAKER pro tempore (Mr. OSE). Without objection, the previous question is ordered on the motion.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Illinois (Mr. JACKSON).

The motion to instruct 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, HOBSON, BONILLA, NETHERCUTT, CUNNINGHAM, FRELINGHUYSEN, TIAHRT, WICKER, MURTHA, DICKS, SABO, VISCLOSKEY, MORAN of Virginia, and OBEY.

There was no objection.

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 the further consideration of H.R. 4766, and that I may include tabular material on the same.

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

There was no objection.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2005

The SPEAKER pro tempore. Pursuant to House Resolution 710 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. 4766.

□ 1110

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. 4766) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2005, and for other purposes, with Mr. BASS in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole House rose on Monday, July 12, 2004, all time for general debate had expired.

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

The amendment printed in House Report 108-591 may be offered only by a Member designated in the report and, pursuant to the order of the House of today, may be offered anytime in the reading of the bill, shall be considered read, debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, and shall not be subject to amendment.

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 of the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Clerk will read.

The Clerk read as follows:

H.R. 4766

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, 2005, 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, \$5,185,000: *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. HYDE

Mr. HYDE. 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. HYDE:

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

SEC. 759. Section 501 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1737) is amended—

(1) in subsection (b)(1), by inserting “Doug Bereuter and” before “John Ogonowski”; and

(2) in the heading, by inserting “**DOUG BEREUTER AND**” before “**JOHN OGOONOWSKI**”.

MODIFICATION TO AMENDMENT OFFERED BY MR. HYDE

Mr. HYDE. Mr. Chairman, I ask unanimous consent that the amendment made in order by the rule be modified in the form at the desk.

The CHAIRMAN. The Clerk will report the modification.

The Clerk read as follows:

Modification to amendment offered by Mr. HYDE:

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

SEC. 759. Section 501 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1737) is amended—

(1) in subsection (b)(1), by inserting “and Doug Bereuter” after “John Ogonowski”; and

(2) in the heading, by inserting “**AND DOUG BEREUTER AND**” after “**JOHN OGOONOWSKI**”.

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

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

There was no objection.

The CHAIRMAN. Pursuant to House Resolution 710, the gentleman from Illinois (Mr. HYDE) and the gentlewoman from Ohio (Ms. KAPTUR) each will control 10 minutes.

The Chair recognizes the gentleman from Illinois (Mr. HYDE).

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

Mr. Chairman, I rise in support of the amendment to the Agricultural Trade Development and Assistance Act of 1954.

Mr. Chairman, this is to honor our retiring colleague, the gentleman from Nebraska (Mr. BEREUTER), by adding his name to the formal title to the Farmer-to-Farmer title. The gentleman's tireless efforts to implement the John Ogonowski Farmer-to-Farmer Program have been a driving force in making this a successful program. As the gentleman from Nebraska (Mr. BEREUTER) retires from Congress after 26 years of service, and 21 years on the Committee on International Relations, I ask that we express our admiration in

a bipartisan manner by recognizing his strong support for this outstanding program.

Bob Lagormarsino and Jerry Solomon and I accompanied the gentleman on the memorable trip to El Salvador and Guatemala in the 1980s which inspired his work in this crucial area. He saw the positive impact that a small group of farmers from his home State of Nebraska had on the local Salvadoran farmers and wanted to find a way to expand this limited program into a much larger project.

Upon returning to the United States, the gentleman from Nebraska (Mr. BEREUTER) sought a way to ensure this program could reach a broader population in need. He led the effort to fund the Farmer-to-Farmer Aid Program, which was a small part of the Foreign Assistance Act. His efforts came to fruition in the 1985 farm bill, in which Congress allocated funds from the Food For Peace program towards the Farmer-to-Farmer program.

The gentleman's faith in the power of American volunteerism led to the implementation of this very successful program which promotes sustainable development by helping the most impoverished people in foreign countries learn how to help themselves. The goal of the Farmer-to-Farmer program is to "enhance the potential for increases in food processing, production and marketing, which in turn stimulates private enterprise and democratic institutions."

□ 1115

This program has directly benefited approximately 1 million farmer families and provided hands-on training to over 80,000 people in over 80 countries.

Through the Farmer-to-Farmer program, U.S. leadership is demonstrated throughout the world by ordinary Americans who volunteer their time and share their talents and technical expertise.

I hope that my colleagues will join me in supporting this amendment to recognize our distinguished colleague DOUG BEREUTER's significant contribution to American foreign policy by adding his name to the title of this most important program.

Mr. Chairman, I yield such time as he may consume to the gentleman from Illinois (Mr. KIRK).

Mr. KIRK. Mr. Chairman, I thank the gentleman from Illinois (Chairman HYDE) for the time.

Mr. Chairman, I rise in support of this amendment to honor our colleague, the gentleman from Nebraska (Mr. BEREUTER).

When the Founding Fathers envisioned a new Nation based on self-government, they wrote many rules into our Constitution. Many things were formally laid out, but many assumptions were left unsaid. One of the assumptions were that among the representatives chosen would be people who were consensus and coalition builders, people whose highest alle-

giance was not to the political party but to country. It is on the backs of such leaders that self-government depends.

DOUG BEREUTER is an embodiment of the kind of leader our Founding Fathers assumed that would move our country forward.

I have worked with the gentleman from Nebraska (Mr. BEREUTER), as I called him as a staff member and as a Member, for 21 years. I call him a friend, but I admire him more.

Forty years ago, Republican Senator Arthur Vandenberg joined with Democratic President Harry Truman to start the Marshall Plan. Many Members of Congress objected to a spending program overseas, but Senator Vandenberg said, "Partnership should end at the water's edge."

In his service on the Committee on International Relations and the Permanent Select Committee on Intelligence, no Member of Congress embraced that ideal more than DOUG BEREUTER.

I worked closely with him on food assistance programs for North Korean children. Despite a formal state of war between our two countries, DOUG BEREUTER was our leader, championing a humanitarian vision where, as Ronald Reagan said, "A hungry child knows no politics."

DOUG pioneered leadership for the P.L. 480 program and for the Farmer-to-Farmer programs. These programs fed the hungry and represented the highest ideals of the American people.

We honor DOUG BEREUTER today. I want to also mention his work with the intelligence community to boost foreign language instruction by the U.S. government. No action will boost the long-term defenses of the U.S. more than the Bereuter foreign language initiative.

We wish the gentleman from Nebraska (Mr. BEREUTER) well as the new head of the Asia Foundation and urge the adoption of the amendment as a way to honor a real American and someone totally committed to the humanitarian vision of the United States overseas.

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

Mr. Chairman, we would like to rise in support of the Hyde amendment renaming the Farmer-to-Farmer program so that that program includes the name of our dear colleague, the gentleman from Nebraska (Mr. BEREUTER), and I want to thank the chairman for offering this important amendment to our bill this year.

We rise to accept the amendment and again thank and compliment the gentleman from Illinois (Chairman HYDE) for his cooperation in not only championing this amendment but working to be sure that Mr. BEREUTER's contributions are recognized, along with those of John Ogonowski, the pilot of American Airlines flight 11 that tragically crashed into the World Trade Tower on 9/11, for whom the program

was named 3 years ago. Mr. Ogonowski had worked so diligently with farmers and others in Massachusetts, and so to have his name and Mr. BEREUTER's name associated in perpetuity on this program I think really elevates it to a level that more fully expresses the real goodness of our country. We share the appreciation of the work that the gentleman from Nebraska (Mr. BEREUTER) has done to support and expand the Farmer-to-Farmer program.

I know that the best way to combat terrorism and misunderstanding is to have programs like Farmer-to-Farmer that link our producers to those of other nations, forming lifelong friendships and understandings. If we look at so many of the societies in which we currently are confronting difficulty, whether it is Pakistan or Afghanistan, other -stan countries that had been part of the former Soviet Union, whether we talk about Africa and the starving people of so many of those nations, this Farmer-to-Farmer program is extraordinarily important. It puts the best face of America forward.

So in taking this time today, again, I want to compliment the gentleman from Illinois (Mr. HYDE). Let me also thank the gentleman from Nebraska (Mr. BEREUTER) for his enormous contributions to agriculture while a Member of this House but also the future work he will be doing with the Asia Foundation. The needs of the Pacific and the islands of the Pacific and so many of the issues that he will confront in that new capacity will be enlightened by the accomplishment he demonstrated here.

We are very pleased to support this amendment and thank the gentleman from Illinois (Chairman HYDE) for his leadership on this, along with so many other issues important to our Nation.

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

Mr. HYDE. Mr. Chairman, I am pleased to yield 2 minutes to the gentlewoman from Missouri (Mrs. EMERSON).

Mrs. EMERSON. Mr. Chairman, I rise in support of this amendment, too. I can think of no better person for whom this program should be named.

I have known DOUG BEREUTER for many, many years, really starting back when he first began his service in the Congress, and I know of him really as a very great and special person, a man who has always put principle above popularity, and that is a very rare characteristic among very few people.

I had the good fortune of traveling with DOUG recently on a NATO/British-American parliamentary group meeting, and I was struck then, as I have been struck so many times, in listening to him speak, about the incredible knowledge and wisdom that he has through the years that he has spent on the Committee on International Relations and the fact that in every single instance he, too, put principle first, and his wisdom is something that we will sorely miss in this Congress.

I want to congratulate him on his new endeavors but also tell him that he has set a very high standard for a Member of Congress, and I hope that we can all aspire to reach the same level that he has.

Mr. GOODLATTE. Mr. Chairman, will the gentlewoman yield?

Mrs. EMERSON. I yield to the gentleman from Virginia.

Mr. GOODLATTE. Mr. Chairman, I thank the gentlewoman for yielding and also rise in strong support of this amendment.

I want to thank the gentleman from Illinois (Chairman HYDE) for offering it, and I want to congratulate the gentleman from Nebraska (Mr. BEREUTER) for 26 years of service to the Congress and for his leadership on this program.

I think it is very, very appropriate that we change the name of the program to add his distinguished name for hereafter, and I urge my colleagues to support this amendment.

Ms. KAPTUR. Mr. Chairman, I yield 1 minute to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Chairman, I appreciate the gentlewoman's courtesy in permitting me to speak on this; and I, too, rise in support of the amendment. I think it exemplifies the type of leadership we have had on our committee. I appreciate the chairman of the Committee on International Relations bringing it forward.

DOUG BEREUTER, I mentioned earlier on the floor during a special order this morning, what a difference he has made for me and all who serve with him. This identifies DOUG as being a legislator, with his fingerprints on a wide variety of legislation.

I am pleased that we have had items brought forward that enshrine his name on legislation and on programs. I hope that we will be mindful of the many other contributions that he has made that few know about unless they had the pleasure of serving with him and watching him in action. I think it is a testimony to his insight, his patience and his hard work that he has been able to inspire this confidence on both sides of the aisle.

I am pleased that we have this as an additional expression of our support as he moves forward into a new career.

Ms. KAPTUR. Mr. Chairman, we strongly support this amendment, and I yield back our remaining time.

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

The CHAIRMAN. All time having expired, the question is on the amendment offered by the gentleman from Illinois (Mr. HYDE).

The amendment was agreed to.

The 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), \$10,810,000.

NATIONAL APPEALS DIVISION

For necessary expenses of the National Appeals Division, \$14,526,000.

OFFICE OF BUDGET AND PROGRAM ANALYSIS

For necessary expenses of the Office of Budget and Program Analysis, \$8,246,000.

HOMELAND SECURITY STAFF

For necessary expenses of the Homeland Security Staff, \$508,000.

OFFICE OF THE CHIEF INFORMATION OFFICER

For necessary expenses of the Office of the Chief Information Officer, \$15,608,000.

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, \$120,957,000, to remain available until expended, for the capital asset acquisition of shared information technology systems, including services as authorized by 7 U.S.C. 6915-16 and 40 U.S.C. 1421-28: *Provided*, That obligation of these funds shall be consistent with the Department of Agriculture Service Center Modernization Plan of the county-based agencies, and shall be with the concurrence of the Department's Chief Information Officer.

AMENDMENT OFFERED BY MR. BONILLA

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

The Clerk read as follows:

Amendment offered by Mr. BONILLA:

In title I, under the heading "COMMON COMPUTING ENVIRONMENT", insert after the dollar amount the following: "(decreased by \$120,957,000)".

In title I, under the heading "FARM SERVICE AGENCY, SALARIES AND EXPENSES", insert after the dollar amount the following "(increased by \$52,873,606)".

In title II, under the heading "NATURAL RESOURCES CONSERVATION SERVICE, CONSERVATION OPERATIONS", insert after the first dollar amount the following: "increased by \$40,458,661".

In title III, under the heading "RURAL DEVELOPMENT, SALARIES AND EXPENSES", insert after the first dollar amount the following: increased by \$27,624,733".

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

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

There was no objection.

Mr. BONILLA. Mr. Chairman, my amendment is a simple amendment that would transfer money from the Common Computing Environment, an amount that totals \$120,957,000, and would put that into a lot of services that are very vital to communities, especially rural communities out in the heartland.

It would put \$52,873,606 into the Farm Service Agency salaries and expenses. It would also put \$40,458,661 into the Natural Resources Conservation Service and \$27,624,733 into Rural Development salaries and expenses.

Now, to explain a little further, this amendment would provide funds to a lot of county-based agencies that de-

liver critical farm programs, economic development in rural areas and the delivery of conservation technical assistance.

The Farm Service Agency delivers farm credit programs to all farmers and ranchers across America.

The Natural Resources Conservation Service delivers conservation technical assistance to producers all across the country.

The Rural Development is very critical to many Members who have these smaller towns and communities in their congressional areas, providing economic opportunity and housing opportunities to Americans from border to border and from coast to coast.

This is a good amendment, and again, it gets money in the people's hands that truly need it out there. At this time, I would encourage all Members to support this amendment.

Ms. KAPTUR. Mr. Chairman, I rise in reluctant opposition to the amendment offered by our good chairman.

This essentially is an effort to transfer funds from the Executive Office of the Secretary and the Common Computing Environment to different funds inside of the U.S. Department of Agriculture in operational agencies. I think it is important to point out to the membership, first of all, this is a lot of money, and it is well over \$100 million.

This current fiscal year we are spending about \$118 million on the Common Computing Environment. Over the years we have increased these accounts, and this year, in fact, within the budget itself there is \$2,372,000 in appropriated funds being proposed over last year.

The Chairman's amendment would take those dollars and farm them out to the Farm Service Agency, the NRCS, the Natural Resources Conservation Service, and Rural Development as line items I guess in those accounts, although it is a little unclear to me how we would track this.

1130

But the point is, this is an account that has been rising within the executive office of the Secretary herself. I think it is important for us to keep a clear eye on how these funds are being expended.

In addition to that, there are several amendments that Members are offering today that have been cleared and filed in proper time that would take their funds from this particular account. And so the net effect of adoption of this amendment would be to force the Members who wish to offer amendments to find alternative offsets, and also to kind of lose the focus that we currently have on common computing environment in a separate account in the Secretary's office by diverting it to these many places in the agency.

So I assume that the gentleman is doing this for good reasons. But the point is I think we would have a lessening of clarity on where these funds are actually being expended by the

agencies. In past years, we have had trouble with this account in really following how the administrations are spending these dollars. As we thought they were doing a little better job, we gave them additional funds.

But I really do not see the burning need for this amendment right now. There are increases in this account; and, therefore, I think in view of the negative effect it will also have on other amendments being offered here today, I would rise in opposition to the amendment.

Mr. LATHAM. Mr. Chairman, I move to strike the last word, and I rise in support of this amendment.

Anyone who deals on the local level with the NRCS understands how the staffing shortages, the need for more funds at the local level are so absolutely critical to be able to handle the programs that are so important to farmers today. This is where the rubber meets the road. This is where people who actually do the work are in contact with the farmers themselves, who do all the work out in the fields. This is extremely important that we do have those funds available to make sure that we are adequately staffed.

Also, when we look at rural development, economic development, it is a critical issue for us to make sure that we have the resources available out in the country to be able to help small businesses, to be able to help our rural communities grow and prosper. So I think this amendment is very, very important; and I certainly rise in support.

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

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

Mr. BEREUTER. Mr. Chairman, I wanted to comment briefly at least on the previous amendment offered by the distinguished gentleman from Illinois (Mr. HYDE). I was unaware it was up at this time. I am very grateful to the chairman, Mr. HYDE, to the gentleman from Texas (Mr. BONILLA), and to the ranking minority member, the gentlewoman from Ohio (Ms. KAPTUR). I happened to see the gentlewoman from Missouri commenting with my name, and that is the only reason that I noticed what was being considered on the floor.

In any case, I thank them and apparently other Members, for their kind comments. Mr. Chairman, just a word of history because it involves the gentleman from Illinois (Mr. HYDE). I was on a four-member CODEL to El Salvador and Guatemala with the former distinguished Member from California Mr. Lagormarsino, the gentleman from New York, the late Jerry Solomon, and the distinguished gentleman from Illinois (Mr. HYDE).

War-torn El Salvador at the time was in the middle of a land reform program. Unfortunately; it was not working, and one element that was a part of the program was called the "Land For the

Tiller Program." I came back convinced that if I could take 40 farmers from my district in to the area during the middle of the winter for about 6 weeks and they could turn around some of those efforts and make them successful, because there was for example, very little knowledge of poultry or swine husbandry.

To my surprise, the Farmer-to-Farmer program had been authorized some years earlier, but never funded. So with a long effort, working with Peter McPherson, the former administrator of USAID, I convinced them, finally, that they did not have to pay volunteers, and the program could be started. So with a relatively small amount of money, initially just one-tenth of 1 percent of the CCC program, those volunteers' transportation was paid; they had a sponsoring organization in the foreign country that either made it successful or less than successful, depending on the local effort.

Mr. Chairman, I was recently over at USAID about a month ago, and they have just sent their 10,000th volunteer on the Farmer-to-Farmer program. These are active or retired farmers—and I am also including the farm wife, because in many cases she is the person that goes overseas. These volunteers also are people who are at our land grant institutions as professors or retired professors. They have worked now on every continent.

Then, when the Soviet Union disintegrated, the Reagan administration sent a Cabinet team to Russia, to see if assistance could be offered to Russia and the other CIS countries. They discovered the Farmer-to-Farmer program, and it was accelerated dramatically.

So we have had many Americans who have now gone on volunteer missions in four different continents. They have come through my office from time to time, and for them, in many cases, they told me it was the best experience of their lifetime. America is a wealthy country, but the area where we have our greatest riches probably is in talented people who are willing to volunteer their time.

So I thank the gentleman from Illinois (Mr. HYDE) for his amendment and trace the reason for it back to our visit there. It was also the time when I first became interested in something called FINCA, which was a microenterprise experiment in the Andean countries. And I later brought them to the Hill so the other Members could be exposed to it.

But many people, Mr. Gilman, Mr. SMITH of New Jersey, and also Members of the Committee on Appropriations also know about the microenterprise program; and they have been very good to it. Mr. Chairman, the Farmer-to-Farmer is a program that I think will be quite successful in the years to come because it relies on American volunteerism.

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

Mr. Chairman, I rise in opposition to the current amendment before us. I

commend the gentleman from Texas for trying to take all of the money from Common Computer Environment, but what he is doing is he is taking and stripping the amount of money, and we are talking about \$120 some million, and distributing it into three accounts.

Mr. Chairman, this precludes an amendment that I would have been able to have brought up today that deals with civil rights. Civil rights is important to a lot of us as we look at what is going on in our country. We have an opportunity to put in additional funding for the Hispanic-serving institutes, we have opportunities for monies to go for tribal expansion grants, and then we have an opportunity to provide money for socially disadvantaged farmers and ranchers. The Bonilla amendment would preclude the ability for me or others to submit their amendments to a bill that is very much needed in terms of providing service.

When we look at civil rights, we look at Martin Luther King, who fought for many individuals in terms of the civil rights movement and opportunities for people, minorities and disadvantaged, to file their complaints. We have numerous complaints throughout the Nation.

Within the Hispanic community, we currently have 16 percent of the total population of the United States, including Puerto Rico with 16 percent, which makes up about 42 million people; yet we would be denying them an opportunity when it comes to civil rights, especially as we look at Hispanic-serving institutes right now where we have approximately 350 colleges and universities and continue to grow in the enrollment of colleges and universities of individuals who want to get into the universities.

When we look at the National Congress of American Indians supporting the legislation, there are 250 tribal governments that are saying, look, we want an equal opportunity in terms of justice, equality, and civil rights. We have an opportunity to make sure that rural communities and others obtain the kind of funding necessary and that there is someone to serve them when there are complaints. There are more and more people filing civil rights complaints.

If we take this money totally out, we would not be able to provide the kind of services that are needed. And while I do appreciate the support of the chairman 2 years ago, when he did support legislation that did approve additional funding, as we look at the growth and expansion of the population, we need additional funding. Currently, Hispanic-serving colleges and universities are underfunded by about 75 percent. We are continuing to grow. We need the funding there, Mr. Chairman.

I hope the gentleman from Texas will reconsider and allow the additional amendments, at least some of these dollars, in a bipartisan way. Allowing

other individuals to submit their amendments would say we truly represent the American Dream. Allowing us to put in an amendment would put service back to our constituents, back to people who very much need it.

Mr. LAHOOD. Mr. Chairman, I move to strike the requisite number of words in favor of the amendment.

This is a very good amendment. I am surprised anybody would come to the floor and be against this amendment. This is an amendment that provides the money to take care of the farmers and ranchers and people that do the hard work. This is the amendment that people have been clamoring for for a long time, more money on the ground for the up-front office workers that do the work, that work with the farmers, that provide the service to people, that help them fill out their forms and do the work that needs to be done.

We hear year in and year out from our farmers that we do not have enough staff, there are not enough people there, there are long lines, the forms cannot get filled out, we do not have enough people to advise us. I cannot think of any reason to be against this amendment.

These are the service workers that help our farmers and ranchers to do the work required by us and required by the USDA to fill all the forms that need to be filled out, to make sure all the reports are done. We require a lot of paperwork, USDA requires a lot of paperwork; and our farmers and ranchers deserve to have the kind of professional staff that this amendment provides for.

So I say to those people who represent farmers and ranchers all around the country, if you want your farmers and ranchers to have the expert professional people to help them do the things, to do the work, to fill out the forms that need to be done, you ought to be supporting this amendment.

Every year our farmers come to us and say, there just is not enough staffing. We need more people. In some instances, we have allowed for part-time people to come in. We have allowed for temporary people to come in. This, though, is the kind of opportunity that provides the money.

I compliment the chairman, and I would surely hope that the ranking member would reconsider her position on this, given the fact that reallocating of money to help the people that are out there doing the hard work of growing the fruits and vegetables, and doing the hard work providing the food and fiber for our country are going to have the professional staff.

So I compliment the chairman for doing this, and I say to all Members who may be listening to this debate on this amendment, this is leadership on the part of the chairman of this subcommittee to say to our farmers and ranchers, the money is going to be there for the professional staff to do all the things that need to be done that we require in Congress and USDA requires,

and that we hear year in and year out from our farmers, particularly from the producers out in the area, certainly in Illinois and the 20 counties I represent, I hear from them every year that we do not have enough staff in our offices to do the things you are requiring us to do.

So great leadership on the part of the chairman here to reallocate the money that needs to be used so that we can hire the people and they can help our farmers and ranchers. I ask all Members who hear from their farmers and ranchers each year to support this amendment. It is a good amendment, and I appreciate the leadership of the chairman.

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

The CHAIRMAN. Is there objection to the gentlewoman from Ohio striking the requisite number of words for a second time?

Mr. BONILLA. Mr. Chairman, I reserve the right to object, and ask for a clarification as to the nature of why the gentlewoman needs this unanimous consent?

The CHAIRMAN. A Member can only strike the last word once on a given paragraph.

Does the gentleman continue to object.

Mr. BONILLA. Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

□ 1145

Ms. KAPTUR. Mr. Chairman, I did want to respond to the gentleman from Illinois (Mr. LAHOOD), a respected member of our subcommittee, to say that one of our problems in this bill is that, because it is under what we spent last year, many accounts have been scraped. We have been trying to find dollars to do several things in the bill. The Common Computing Environment has a lot of money. This year we are proposing \$120 million, an amount over last year. But there are other underfunded programs in the bill extraordinarily important to farmers.

For example, in the important area of bioenergy, the administration wants to cut the development of renewable fuels. We have a new title in the farm bill to create a new market in this country for fuels. One of the amendments that will be offered would take a few dollars out of this common computing account and just let that account be level with this year's expenditures which is \$23 million. It's not a lot of money in terms of the full bill. But nonetheless to try to really help our farmers bring up a new industry, it amounts to real dollars. This is money not going to a government agency. It is going directly to farmers to bring up a new source of power in our Nation, new sources of power based in agriculture.

One of the other amendments, and other Members will speak to this, has

to do with the civil rights portions of this bill which are underfunded. This account has over \$120 million in it.

The third area in which we would hope to take a few dollars out of these accounts are the Farmers Market Promotion Program, a program that was authorized in the new farm bill but has zero dollars now. Farmers out there all around this country are trying to sell their product directly to consumers. We have had so many requests from Members to assist with Farmers' Market Development. We have been unable to meet those requests. For the first time, with this amendment, we would provide funds in a newly authorized program in the farm bill.

So, yes, we have to make choices; and we are trying to help all titles of the farm bill as best we can. These dollars, by being diverted to agencies that already have billions of dollars, well, I really would question our ability to monitor those expenditures. And, yes, farmers are going into these farm service agencies and they are not being served, but we have had these accounts piled up over \$100 million for computers for years and years.

One of the points I would have, since we have this computing account in the Secretary's office, we can have better oversight so we can see whether or not they are putting these computers in the farm service agencies. But the truth is we do not have enough money in any account to do everything that needs to be done. I respect what the gentleman is saying, but we have to try to do more with less in every single one of the accounts that we are supposed to fund.

I would urge my colleagues to think about this vote because it harms other programs in the bill that are extraordinarily important and are serving our farmers directly. We still maintain hundreds, tens of thousands of dollars, millions of dollars in this account to help with the computing environment. I did want to respond to that.

Mr. LAHOOD. Mr. Chairman, will the gentlewoman yield?

Ms. KAPTUR. I yield to the gentlewoman from Illinois.

Mr. LAHOOD. Mr. Chairman, as the ranking member, the gentlewoman knows our farmers and ranchers and the producers come to us every year with the common complaint, we don't have enough people in these local offices to help us. We have to set priorities.

Ms. KAPTUR. I would reclaim my time and say to the gentleman that the overall bill does not have enough money. We have to try to put dollars in all the accounts as best we can. I agree with the gentleman there is not enough money in the overall allocation, but that does not mean we have to rob all accounts just to serve one purpose. We have to use these dollars broadly and do the best we can with an inadequate allocation.

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

Mr. Chairman, I join the ranking member on the committee in opposition to the amendment basically because the gentleman from California (Mr. BACA), the gentleman from Michigan (Mr. KILDEE) and myself would not be allowed if the amendment passes to introduce our amendment which basically would do three things:

First of all, it would increase the civil rights enforcement moneys for the Office of the Secretary. The U.S. Department of Agriculture has clearly been called the last plantation. Because of that, Mr. Chairman, many of the discriminations for black farmers and other individuals coming out of USDA, we could address it with more money.

In addition to this, the 2501 program would be increased so that socially disadvantaged farmers could take advantage of USDA programs. If this amendment is passed, we would not be able to offer the increase in the program.

But, thirdly, Mr. Chairman, the tribal extension grants for Hispanic-serving institutions, we could not increase that money. I know that the chairman does not want to hurt those institutions, but this is an opportunity, if this amendment is allowed to be offered and somehow we can reach some agreement, that we could help those Hispanic-serving institutions, also.

Reluctantly I rise in opposition to the amendment, because another amendment that we think would be as important to a tremendous number of people could not be offered.

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

Mr. Chairman, I rise in support of the Bonilla amendment and believe that the chairman of the committee is moving in the right direction. The Common Computing Environment program I think does render very valuable technical assistance, but I understand the pressures that we are under to try to get money out on the local level to the farmers.

One of the things that has always disturbed me as a Member of Congress is when we allocate money for anything, military, education, health care, whatever, it is astounding the amount of the dollars that stay in Washington, D.C. As I drive around this beautiful city, I do not see too many farmers. I see a lot of monuments and some lakes and some parks, but I do not see many corn fields or cow pastures or hog pens. Yet if we support the Bonilla amendment, we are pushing the dollars out of town towards those agencies, the Farm Service Agency, the Natural Resources Conservation Service and the Rural Development Agency, towards the farmer, towards the local people.

It is interesting, as somebody who represents rural southeast Georgia with 29 different counties in it, as I go around visiting my farmers and those in the agriculture community and the agriculture family, they speak highly of these agencies and the work that

they do. The rural development folks, they do all kinds of housing opportunities in my area and some other much-needed projects that we think are very important for economic development in the smaller towns. The Natural Resources Conservation Service is very important for erosion control and best cultivation practices and good technical assistance to the farmers. Of course, the Farm Service Agency delivers the farm credit program to farmers all over the country.

But what I like best about these folks is they are Federal Government, USDA employees, 100 percent on the USDA salary, but they answer 100 percent to the farmers back home in Bacon County and in Appling County and in Coffee County, the folks who I am trying to serve and represent in Washington. That is the same people that these agencies are serving.

As the gentleman from Illinois (Mr. LAHOOD) said earlier today, these are the people that our farmers ask for assistance from; and they really do not ask for more money in the USDA bureaucracy as much as getting it back home to rural Texas, rural Illinois, rural Iowa, rural Georgia and so forth.

I stand in strong support of the Bonilla amendment and hope that our colleagues give it a majority.

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

Mr. Chairman, I rise in support of the Common Computing Environment system. There are a lot of folks making a lot of great speeches today, and I agree with all of them. I agree with the gentleman from California (Mr. BACA). I agree with the gentleman from Mississippi (Mr. THOMPSON) and the concerns and the needs there. I agree with the gentleman from Illinois (Mr. LAHOOD) and his statement. I agreed with the chairman and what he is saying.

But what I am afraid of is that we are about to do something that is going to do more damage to all of our farmers and all of our needs and the efficiency of the delivery of these programs by once again using the Common Computer Environmental systems as a cash cow.

USDA began modernization and streamlining with the USDA Reauthorization Act of 1994 signed by the President, October 13, 1994. Since then we have made some progress. USDA field agencies still rely, though, on outdated information technology. Basically, what we were saying in 1994 to USDA, start cooperating and working together. Have FSA, NRCS and Rural Development start looking at one-stop shopping, start looking at putting their computer systems together, start doing those things that would allow them to operate efficiently and save money for our appropriators and get the job done better.

We have got a ways to go. But if we deny them the technology to do it, we will never get there.

I want to give the Members a little story about how using modern information technology can benefit not only producers in the delivery of programs and services but can save the taxpayers millions of dollars of waste in eliminating waste, fraud and abuse in the delivery of Federal assistance.

In 2000, the Committee on Agriculture included a provision in the crop insurance reform bill it was considering. The bill instructed the Secretary of Agriculture to develop and implement a coordinated plan for the Risk Management Agency and the Farm Service Agency to reconcile all relevant information received by RMA and FSA from a producer who obtains crop insurance. The agencies were to reconcile such producer-derived information on at least an annual basis to identify and address any discrepancies.

We encouraged the Secretary to use an outside entity that had expertise in information technologies known as data mining and data warehousing and other available information technologies to administer the program. It took over a year to implement the provisions, with USDA kicking and screaming all the way. In fact, only RMA ultimately entered into the agreement with Tarleton and Planning Systems Incorporated to apply data mining and data warehousing to its data in an attempt to detect fraudulent practices in the multiperil crop insurance program. FSA refused to share its producer data.

We talk about cutting waste, fraud and abuse from Federal programs all the time. In 4 short years and an approximately \$20 million investment by this body, RMA estimates it has saved American taxpayers \$250 million in claims not filed by detecting schemes to file bogus insurance claims losses. Technology can do the job if we allow it to do it. What more could we accomplish if we required all of USDA to use modern technology and by sharing information to ensure that the programs it administers and services it delivers is done in an effective and efficient manner?

If we are serious about eliminating waste, fraud and abuse from government programs, I suggest we fully fund USDA's Common Computing Environment.

I recognize and I saw all of the amendments that my colleagues were bringing today, each one of which is designed to get into this particular, they believe, cash cow, for doing some very good and important things. But I think we become considerably shortsighted if we do not recognize that if we are truly to deliver the services to our producers that the conservation, with technical assistance, if we are truly to do those things that we all want to do, the best place to start is by making sure that the USDA Reorganization Act of 1994 is fully implemented by demanding USDA do it, but at the same time not shortchange them on the technology they will need in order to do it. That is my concern today.

I guess basically I am rising in opposition to all of the amendments until someone can show me that taking money from the computers is a better investment. I would much rather continue to recognize we have a budget problem, not an appropriations problem. I recognize what the chairman is attempting to do with this amendment, but I believe it is not in the best long-term interest of USDA and the people we serve, the producers and consumers of America.

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

Mr. Chairman, I rise in opposition to the amendment. Numerous reports and commissions have documented the civil rights problems at USDA. For those who might not be aware of this history, let me give the Members a brief overview.

In 1965, the U.S. Commission on Civil Rights found discrimination in USDA program delivery and in USDA treatment of minority employees.

In 1970, a USDA employees focus group report concluded the agency was insensitive to the issues regarding equal opportunity and civil rights.

In 1982, the Civil Rights Commission found that USDA's Farmers Home Administration had failed to place adequate emphasis on dealing with the crisis facing black farmers and saw indications that the agency may be involved in the very kind of racial discrimination that it should be seeking to correct.

In 1990, the Committee on Government Operations of the United States House of Representatives found that Farmers Home Administration practices were one of the key causes of the drastic decline in black farmer ownership.

In 1997 and 1998, CRAT, a special team within the USDA, found systemic discrimination in employment and farm assistance programs.

□ 1200

In 1998 the Congress passed a measure which helped African American farmers pursue legal claims against the USDA. In 1999 a Federal court entered a consent decree which allowed many black farmers to recover damages for the years of discrimination they faced at the hands of the USDA.

Let me say to the Members, given this sad and sorry history, I must oppose this amendment on that note, to say that we need to have technical assistance, but we need to look at what we are doing. And just to say we are going to do something that really is not going to accomplish anything is not the way to go. So on that note I must oppose the amendment.

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

Mr. Chairman, I rise in reluctant opposition to the chairman's amendment and in support of the Common Computing Environment and the associated systems.

The gentleman from Texas (Mr. STENHOLM) cited many of the benefits of the Common Computing Environment not only to the Department of Agriculture but to the many farmers and ranchers that the Department of Agriculture seeks to serve.

I want to bring to the attention of the House another very important function of the Common Computing Environment efforts, and that is a new technology or at least a new application of a technology which has been with us for about 30 or 40 years, and that is satellite imaging in support of forest and farmland use.

There is a very important effort under way to categorize farmland and to image farmland all across the United States. It serves many important purposes. One of them is to help us figure out the categories of different farmland and the erosion of that farmland, and it helps farmers in the end by protecting their most basic asset, the land. It also helps our forests because it helps us assess forest health. It helps us assess the buildup of unwanted or unnecessary fuel stocks in our forests to avert forest fires, and it also helps assess infestations by insects and other pests so that we can better assess the health of our forest stock.

So I just want to point out that, as these amendments come up, ranging from the chairman's amendment, which makes a fairly substantial cut, to other amendments which make smaller cuts in the Common Computing Environment budget, I, for one, will have to choose very carefully between those amendments which serve very crucial public purposes such as eliminating decades' old discrimination by various Federal agencies and programs and other, perhaps less compelling, causes to cut into the Common Computing Environment budget.

And, again, I do want to point out that in addition to the many important purposes that the gentleman from Texas (Mr. STENHOLM) pointed out that we in Oregon, we who have a very thorough land use planning system, we depend on data in order to maintain our categories of farm and forest land, of urban reserve, of urban land and potential urban land, and there is nothing quite as important as having some of the satellite imagery which would also be unfortunately adversely affected by the chairman's amendment. So I do rise in reluctant opposition to the chairman's amendment.

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

The amendment was agreed to.

The CHAIRMAN. Are there further amendments to this paragraph?

If not, 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, \$5,811,000: *Provided*, That the Chief Financial Officer shall actively market and expand cross-servicing activities of the National Finance Center: *Pro-*

vided further, That no funds made available by this appropriation may be obligated for FAIR Act or Circular A-76 activities until the Secretary has submitted to the Committees on Appropriations of both Houses of Congress a report on the Department's contracting out policies, including agency budgets for contracting out.

WORKING CAPITAL FUND

For the acquisition of disaster recovery and continuity of operations technology of the National Finance Center's data, \$12,850,000, to remain available until expended.

OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL RIGHTS

For necessary salaries and expenses of the Office of the Assistant Secretary for Civil Rights, \$803,000.

POINT OF ORDER

Mr. TOM DAVIS of Virginia. Mr. Chairman, I make a point of order against the second provision under the heading "Office of the Chief Financial Officer," beginning with the colon on page 3, line 25, throughout on page 4, line 6. This provision violates clause 2(b) of House rule XXI.

PARLIAMENTARY INQUIRY

Ms. KAPTUR. Parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentlewoman may inquire.

Ms. KAPTUR. Mr. Chairman, did we not read past that provision?

The CHAIRMAN. That is correct.

Is there objection to returning to that point in the reading to entertain a point of order against the cited provision?

Ms. KAPTUR. Mr. Chairman, we raise objection to that.

The CHAIRMAN. Objection is heard.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I move to strike the last word.

This is the second time this has happened. Right off the floor I was assured that this would come up after a vote on the gentlewoman from Ohio's (Ms. KAPTUR) amendment. I stood here seeking recognition as I came on to the floor as the Clerk was reading other sections. I was not recognized. This is the second time I have been let down by the Committee on Appropriations when they knew I had a point of order and tried to give me time periods.

In fact, I, in talking to the staff this morning, said maybe I should just stay on the floor. No. The last time this occurred, the minority was generous enough to allow us to go back and raise that provision. I would ask for the same courtesy here, or I will stand up today and object to every single unanimous consent.

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

Mr. TOM DAVIS of Virginia. I yield to the gentleman from Texas.

Mr. BONILLA. Mr. Chairman, the gentleman should be assured that there was absolutely no intent on the majority's part to interfere with the gentleman's issue that we expected him to raise today. So I just hope the gentleman understands that clearly, and the majority is not objecting to our returning to this portion of the bill. The objection was raised by the minority.

Mr. TOM DAVIS of Virginia. Mr. Chairman, reclaiming my time, I just want to say that I was off the floor. I walked on the floor, was seeking recognition. The Clerk continued to read as I got up here. I continued to request recognition.

Mr. Chairman, I ask unanimous consent that we be able to return to this section.

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

Mr. WU. Mr. Chairman, I reserve the right to object.

PARLIAMENTARY INQUIRY

Ms. KAPTUR. Parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. Does the gentleman from Oregon yield for the parliamentary inquiry?

Mr. WU. Yes, I do, Mr. Chairman.

The CHAIRMAN. The gentlewoman from Ohio may inquire.

Ms. KAPTUR. Mr. Chairman, could the Chair please explain what is occurring here? We raised objection to the gentleman, who was not on the floor when we read through his section, and we raised objection to that. Why is the gentleman being allowed to proceed?

Mr. TOM DAVIS of Virginia. Mr. Chairman, the gentlewoman is incorrect. It was my time. I was on the floor.

The CHAIRMAN. The gentleman from Oregon (Mr. WU) controls the time.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I just asked in comity if she would allow me to make the point of order that we are entitled to do under the rules.

Mr. WU. Mr. Chairman, I am yielding to the gentlewoman from Ohio.

Ms. KAPTUR. Mr. Chairman, we raised objection to the gentleman's desire to continue with this. He is raising it out of order.

Mr. TOM DAVIS of Virginia. It is in order at any point to raise it, and I will continue to raise it.

The CHAIRMAN. The gentleman from Virginia has again asked for unanimous consent to take his point of order out of order.

Ms. KAPTUR. We object to that, Mr. Chairman. He missed his opportunity.

The CHAIRMAN. Objection is heard.

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

I am going to yield to the gentleman from Virginia, but I would like to know why the gentlewoman from Ohio would object. Let him make his point; then if they have the votes, knock it out. He was on the floor. The gentleman was on the floor. He could not get to the microphone because he thought there was going to be a vote on the gentleman from Texas's (Mr. BONILLA) amendment. That is the point here. If she does not like what he is going to say, stand up, but give him the right to say it, not to object to it. That is a lousy way to treat a Member.

If somebody were doing that to you, you would have motions to adjourn and

motions to do this and that. The gentleman was on the floor. He wants to make a point of order. Let him make his point. What is the problem with doing that?

Ms. KAPTUR. Mr. Chairman, will the gentleman yield?

Mr. LAHOOD. I yield to the gentlewoman from Ohio.

Ms. KAPTUR. Mr. Chairman, because he is proceeding out of order. We have dozens of amendments, as the gentleman well knows.

Mr. LAHOOD. Mr. Chairman, he was on the floor.

Ms. KAPTUR. Mr. Chairman, if the gentleman would continue to yield, he missed his opportunity as the bill was being read.

Mr. LAHOOD. Mr. Chairman, reclaiming my time, I am going to say this: I think the gentleman does have a right. He was on the floor. He could not get to the microphone because he thought a vote would be called for on the gentleman from Texas's (Mr. BONILLA) amendment.

Mr. TOM DAVIS of Virginia. Mr. Chairman, will the gentleman yield?

Mr. LAHOOD. I yield to the gentleman from Virginia to make his point.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I think it is interesting, as we heard from the other side last week about tactics on this side that were overbearing and the like, to see that given the opportunity in this case to reciprocate and show some openness that they have declined to do so. Nothing is surprising. But all I can say is that I will object to their unanimous consent request and sit here.

Mr. LAHOOD. Mr. Chairman, reclaiming my time, I wonder if the gentlewoman from Ohio would reconsider her objection.

Ms. KAPTUR. Mr. Chairman, will the gentleman yield?

Mr. LAHOOD. I yield to the gentlewoman from Ohio.

Ms. KAPTUR. Mr. Chairman, not at this time.

Mr. LAHOOD. Mr. Chairman, I could not understand the gentlewoman's response. I wonder if the gentlewoman would consider giving the opportunity to the gentleman from Virginia to speak on the part of the bill that he wants to speak on.

Ms. KAPTUR. Mr. Chairman, will the gentleman yield?

Mr. LAHOOD. I yield to the gentlewoman from Ohio.

Ms. KAPTUR. Mr. Chairman, the gentleman from Illinois (Mr. LAHOOD) knows the rules of the House very well. The gentleman missed his opportunity as the bill was being read.

Mr. TOM DAVIS of Virginia. Mr. Chairman, will the gentleman yield?

Mr. LAHOOD. I yield to the gentleman from Virginia.

Mr. TOM DAVIS of Virginia. Mr. Chairman, let me ask the distinguished chairman, will he, in light of what has transpired here, and I know that he was not up to this previously, work

with me to amend this provision and make it appropriate in the conference or to "X" it out altogether?

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

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

Mr. BONILLA. Mr. Chairman, I would be happy to work with the gentleman on the issue that he is trying to raise here today.

Mr. TOM DAVIS of Virginia. Mr. Chairman, as the gentleman knows, we are willing to work with some reporting requirements that our committee be included as part of the reporting as well as the appropriations because we have jurisdiction. But we will work to get it out altogether now because of their inability to compromise.

AMENDMENT NO. 9 OFFERED BY MR. BACA

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

The Chairman. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 9 offered by Mr. BACA:

In title I, under the heading "COMMON COMPUTING ENVIRONMENT", insert after the dollar amount the following: "(reduced by \$3,500,000)".

In title I, under the heading "OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL RIGHTS", insert after the dollar amount the following: "(increased by \$250,000)".

In title I, under the headings "COOPERATIVE STATE RESEARCH, EDUCATION, AND EXTENSION SERVICE—T4research and education activities", insert after the first dollar amount, and after the dollar amount relating to Hispanic-serving Institutions, the following: "(increased by \$1,500,000)".

In title I, under the headings "COOPERATIVE STATE RESEARCH, EDUCATION, AND EXTENSION SERVICE—EXTENSION ACTIVITIES", insert after the first dollar amount, and after the dollar amount relating to Indian reservation agents, the following: "(increased by \$1,000,000)".

In title I, under the headings "COOPERATIVE STATE RESEARCH, EDUCATION, AND EXTENSION SERVICE—OUTREACH FOR SOCIALLY DISADVANTAGED FARMERS", insert after the dollar amount the following: "(increased by \$750,000)".

Mr. BONILLA. Mr. Chairman, I reserve a point of order on this amendment.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. A point of order is reserved.

Mr. BACA. Mr. Chairman, I rise in favor of this amendment by the gentleman from Mississippi (Mr. THOMPSON), the gentleman from Michigan (Mr. KILDEE), and myself to increase the funding for minority programs in the USDA.

What we are asking for, basically, is \$3.5 million in increase. The purpose for the funding would be \$250,000 for the Office of Assistant Secretary of Civil Rights, \$1 million for tribal expansion grants, \$750,000 for grants of socially disadvantaged farmers and ranchers, and \$1.5 million for Hispanic-serving institutes.

The amount is important because it provides funding to help civil rights,

and I state again, civil rights programs, and other significant funding to help minorities in the field of agriculture. The U.S. Department of Agriculture has institutional problems that must be resolved, and this is the way to resolve the problems that we have. The problems within the USDA are so severe, the civil rights complaints have cost the Federal Government nearly \$1 million in settlements and awards. Supporting the civil rights process and properly funding minority initiatives are necessary to permanently end a history of discrimination. I state a history of discrimination. We must rebuild the trust in minority communities, and the USDA can do that.

Mr. Chairman, I yield to the gentleman from Texas (Mr. RODRIGUEZ).

□ 1215

Mr. RODRIGUEZ. Mr. Chairman, let me take this opportunity, first of all, to congratulate the gentleman from California (Mr. BACA), the gentleman from Mississippi (Mr. THOMPSON) and the gentleman from Michigan (Mr. KILDEE) on this particular amendment.

Mr. Speaker, I would like to thank my colleagues for this effort, because there is no doubt that, despite the amendment before us by the gentleman from Texas (Mr. BONILLA), we still need to make sure that those resources go to those communities, minority communities, throughout this country, to make sure that discrimination does not exist.

Although we have made great strides to end discrimination in this country, it still persists in our produce organizations and the United States Department of Agriculture. The USDA has a history of discrimination in these programs, and the USDA has not provided enough funding for minority initiatives that would level the playing field for minority products.

So even if we do what we have been assigned based on the amendment that was passed offered by the gentleman from Texas (Mr. BONILLA), we have got to make sure that those resources reach those populations that are in need; that despite the fact when we did have that staff there and now we are trying to increase the staff, that still did not take place.

Civil rights complaints from minority farmers have cost the USDA nearly \$1 billion in the form of settlements and awards and have the potential to increase many times that amount. The Baca-Thomas-Kildee amendment is a modest and needed step in reducing these costs and eliminating discrimination against minorities.

With all the progress that our country has made, it is my hope that the Congress continues to move in the right direction and support funding for programs and farmers and ranchers throughout this country, including black farmers and Hispanic farmers.

Mr. Chairman, I urge my colleagues to support this amendment in order to do the right thing in this country.

Mr. BACA. Mr. Chairman, reclaiming my time, this is just a modest step in the right direction to deal with civil rights. As we look at the support that we have right now, we have support from the national Congress of American Indians that represents 250 tribal governments; we have the support of the National Hispanic Legislation Agenda; we have the support of the Hispanic Association of Colleges and Universities and Rural Coalitions that represent somewhere around 350 colleges and universities.

This is an important step in making sure that we deal with civil rights and provide the funding for many individuals that have been discriminated against in the past. Our population continues to grow. As I stated earlier, we have 16 percent of the total population being Hispanic right now, representing 42 million right now in the United States, including Puerto Rico. We need to make sure that adequate funding is there to provide civil rights and protection for individuals and minorities or others who have filed a complaint, to make sure farmers and others have an opportunity to progress and harvest their farms in a timely manner. Without the civil rights complaint, it becomes very difficult for individuals to be heard and their voices. We need to make sure those voices are heard on an equal plane.

This funding will provide an opportunity for many individuals to demonstrate their concerns when they have a complaint, and we need to make sure that adequate funds are there through civil rights, through the Department of Agriculture, through the USDA, to make sure that the complaints are heard.

Mr. Chairman, I hope my colleague from Texas will support this legislation, because I know he believes in civil rights, and civil rights is important for all of us to look at funding.

The CHAIRMAN. The Clerk designated Amendment No. 9. The gentleman actually offered an unnumbered amendment, which the Clerk will now report.

The Clerk read as follows:

Amendment offered by Mr. BACA:

In title I, under the heading "OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL RIGHTS", insert after the dollar amount the following: "(increased by \$250,000)".

In title I, under the headings "COOPERATIVE STATE RESEARCH, EDUCATION, AND EXTENSION SERVICE—RESEARCH AND EDUCATION ACTIVITIES", insert after the first dollar amount, and after the dollar amount relating to Hispanic-serving Institutions, the following: "(increased by \$1,500,000)".

In title I, under the headings "COOPERATIVE STATE RESEARCH, EDUCATION, AND EXTENSION SERVICE—EXTENSION ACTIVITIES", insert after the first dollar amount, and after the dollar amount relating to Indian reservation agents, the following: "(increased by \$1,000,000)".

In title I, under the headings "COOPERATIVE STATE RESEARCH, EDUCATION, AND EXTENSION SERVICE—OUTREACH FOR SOCIALLY DISADVANTAGED FARMERS", insert after the dollar amount the following: "(increased by \$750,000)".

In title III, under the heading "RURAL DEVELOPMENT—SALARIES AND EXPENSES", insert after the dollar amount the following: "(reduced by \$3,500,000)".

POINT OF ORDER

Mr. BONILLA. Mr. Chairman, speaking on my point of order, the amendment offered by the gentleman from California proposes to amend portions of the bill not yet read. The amendment may not be considered en bloc under clause 2(f) of rule XXI because the amendment proposes to increase the level of outlays in the bill.

I ask for a ruling from the Chair.

The CHAIRMAN. Does the gentleman from California (Mr. BACA) wish to be heard on the point of order?

Mr. BACA. Mr. Chairman, I believe that we did offer the motion when it was asked for during the proper period of time, so we are in compliance with the rules of the House.

The CHAIRMAN. The Chair is prepared to rule.

To be considered en bloc pursuant to clause 2(f) of rule XXI, an amendment must not propose to increase levels of budget authority or outlays in the bill. Because the amendment offered by the gentleman from California proposes a net increase in the level of outlays in the bill, as argued by the chairman of the subcommittee on appropriations, it may not avail itself of clause 2(f) to address portions of the bill not yet read.

Consequently, the amendment is not in order.

If there are no further amendments, the Clerk will read.

The Clerk read as follows:

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, \$19,452,000.

OFFICE OF THE ASSISTANT SECRETARY FOR ADMINISTRATION

For necessary salaries and expenses of the Office of the Assistant Secretary for Administration, \$669,000.

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, \$165,883,000, to remain available until expended: *Provided*, That not to exceed 5 percent of 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 new or replacement space 15 days after notice thereof is transmitted to the Appropriations Committees of both Houses of Congress.

AMENDMENT OFFERED BY MS. KAPTUR

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

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

The CHAIRMAN. The gentleman reserves a point of order.

The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Ms. KAPTUR:

In title I, under the heading "AGRICULTURE BUILDING AND FACILITIES AND RENTAL PAYMENTS—(INCLUDING TRANSFERS OF FUNDS)", insert after the dollar amount the following: "(reduced by \$8,000,000)".

In title III, under the heading "RENEWABLE ENERGY PROGRAM", insert after the dollar amount the following: "(increased by \$8,000,000)".

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

The CHAIRMAN. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

The CHAIRMAN. The gentleman from Texas (Mr. BONILLA) has reserved a point of order. The gentleman may now state his point of order.

POINT OF ORDER

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

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

Mr. BONILLA. Mr. Chairman, the amendment offered by the gentlewoman from Oregon proposes to amend portions of the bill not yet read. The amendment may not be considered en bloc under clause 2(f) of rule XXI because the amendment proposes to increase the level of outlays in the bill.

I ask for a ruling from the Chair.

The CHAIRMAN. Does the gentleman from Texas address the amendment offered by the gentlewoman from Ohio in his point of order?

Mr. BONILLA. It is the amendment offered by the gentlewoman from Ohio. I correct myself.

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

Ms. KAPTUR. Yes, Mr. Chairman.

Mr. Chairman, I do not quite understand the point of order. Our amendment essentially is to bring to a level of \$23 million the accounts dealing with biofuels, renewable energy in the bill, which equals this year's level of \$23 million. We offset that with funds from the Agriculture buildings and facilities and rental payments account. My amendment does not touch any part of what the gentleman just read.

So, I am from Ohio, and I am offering this amendment. This is not an amendment from Oregon.

The CHAIRMAN. Does the gentleman from Texas wish to be heard further?

Mr. BONILLA. Mr. Chairman, I withdraw my point of order.

The CHAIRMAN. The gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

Ms. KAPTUR. Mr. Chairman, the purpose of this amendment is to move America into the future. In the new farm bill, title IX provides for the first

time in American history an energy title. In the past fiscal year, we provided \$23 million in that account to help move America forward, rooted deeply in the rural countryside. The bill before us today actually cuts that account. This amendment merely restores \$8 million to bring it up to equal what we are spending in this current fiscal year of \$23 million in the renewable fuels account, title IX of the bill.

Members have to decide, are they for the future, or do they want to continue to live in the past?

The funds that we use to make this account equal to what it is this year come from the Agriculture buildings and facilities and rental payments account. There is an \$8 million offset within the bill.

I think it is important for members on every committee, regardless of where we serve in this House, to help move America forward to energy independence. How we convert this country is each of our responsibilities. The United States currently imports two-thirds of the petroleum we consume. By 2025 it is estimated that we will consume 75 percent of imported fuels in this country. We are at the dawn of a new fuels age.

This chart that I am showing you here indicates that the largest share of the fuels we import are from the Middle East. It is no surprise to anybody here where we are at war right now. This is not going to change unless each of us changes. In the most recent farm bill that was passed, we made an effort to do that.

To cut the renewable fuels accounts at the beginning of this 21st century makes absolutely no sense at all. All our amendment does is say we made a good start last year. It was a small start, because only about 1 percent of the fuels we consume in this country are renewable fuels, like ethanol and biodiesel. Our amendment says we have made one small step forward for humankind; let us take another small step with this bill.

According to GAO, the United States has spent over \$130 billion over the last three decades in government subsidies to the oil industry. What we are talking about here is a very small amount of money in this bill, \$23 million with this amendment, that would help the U.S. Department of Agriculture help America pull forward and to try to resolve our chief strategic vulnerability, which is our absolutely total dependence on imported petroleum.

Recent studies cited by the Renewable Fuels Association found, for example, that increasing ethanol production to just 5 billion gallons annually would create 214,000 jobs, \$5.3 billion in new private sector investment in renewable fuel production facilities and increase household income by \$51.7 billion, because we would not be draining off the dollars we spend on fuels to go to producers in other countries.

While the energy bill would establish a renewable fuel standard that would

lead us to a doubling of ethanol usage, we still need to support the development of infrastructure and ethanol and biodiesel plant construction and distribution systems. We are at the dawn of a new fuels age. It is just a little keyhole as we look toward the future. Yet this is one of the most important steps we can take in trying to help America when she needs us most.

So every single Member here has to ask themselves as they consider our small amendment, just to put \$23 million in this account to keep it equal with last year, are we going to live in the past, or are we going to move forward? Are we going to ask agricultural America to pull forward with the Nation? Or are we going to continue to live with our heads and our pockets literally in the sands of the Middle East and every other undemocratic place in the world?

American farmers want to move forward. Is this Congress going to help them, or are we going to continue to live in the troubled past?

I ask for support on this amendment. Essentially again what it does, it takes \$8 million from the buildings accounts, moves it into title IX, to keep it at \$23 million, which is what we are spending in this current fiscal year.

Mr. LATHAM. Mr. Chairman, I rise in support of the amendment. I think it is a good offset.

□ 1230

It is absolutely critical that we fund renewable energy as much as possible. I am very pleased that we will be able to do this, increase that account. Ethanol is so important as far as our dependency on foreign oil. We have tremendous opportunities in the Midwest, in Iowa, throughout the country to lessen our dependency on foreign oil with such things as soy diesel, biomass, wind, energy, all of those things that are renewable sources of energy and are going to be so important for our future for energy independence in this country.

It is an economic issue. Through rural America, we have an opportunity in rural America to do what we do best, and that is take solar energy through photosynthesis, be able to convert that into corn, soybeans, whatever kind of crops, and then convert that into renewable sources of energy.

We need the dollars for research, it is absolutely critical, and I rise in strong support of this amendment.

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

I am pleased to support this amendment with the gentlewoman from Ohio (Ms. KAPTUR), as well as my colleague from Iowa and others of this body, which will restore \$8 million in funding to the Department of Agriculture's Renewable Energy and Energy Efficiency program. The Renewable Energy and Energy Efficiency program was created under the 2002 farm bill and has had great success.

The program provides that grant funds can be used to pay up to 25 percent of the costs for eligible renewable energy projects. These projects include those that derive energy from wind, solar, biomass, or geothermal thermal sources, or hydrogen derived from these sources. Awards are made on a competitive basis for the purchase of renewable energy systems and to make energy improvements.

Last year, USDA ordered a total of 113 grants to program applicants in 24 States. These grants totaled \$21.2 million nationwide, including more than \$62,000 for renewable energy projects in the State of South Dakota. These grants supported a broad array of renewable energy projects, including ethanol plants, wind power projects, solar projects, anaerobic digesters, direct combustion programs, and fuel pellet systems.

Our amendment would bring funding to the full \$23 million level authorized under the 2002 farm bill, the same level as enacted in fiscal year 2004. This program is a win-win for farmers, ranchers, and consumers; and I feel it is important not to cut its funding levels.

This amendment is supported by a broad array of agricultural commodity and energy groups from across my State, and I urge my colleagues to increase funding for this important program.

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

Mr. Chairman, I would like to recognize the strong leadership of the ranking member, the gentlewoman from Ohio (Ms. KAPTUR), and the new and strong leadership of our newest member, the gentlewoman from South Dakota (Ms. HERSETH), in bringing this important amendment before the U.S. House of Representatives.

This amendment would not only assist us in achieving energy independence sooner than we otherwise would, but let us look at some of the specifics in this amendment which I think are very, very important, not just to the United States of America as a whole, but also to our particular region of the country, the Pacific Northwest, which is particularly reliant on renewable sources of energy such as hydropower, wind power, and other renewable energy sources which have less impact on the environment than does our current reliance on oil and coal.

Last year, in the past, this is what this effort has achieved: it assisted 35 wind power projects. It supported \$7 million to support 30 anaerobic digesters; \$1 million to support six solar projects; almost \$4 million to support 16 ethanol plants and anaerobic digester plants; and also supported direct combustion and fuel pellet systems. These are important projects locally, nationally, and affect the geopolitics of the world.

The section 9006 program leverages a tremendous amount of private sector investment, since the program provides a maximum of 25 percent funding. This

3-to-1 leverage ratio is a good buy for the American taxpayer. This fosters rural economic development and generates clean and efficient energy.

The amendment is supported by the Alternative Fuels Renewable Energies Council, the American Bioenergy Association, the American Corn Growers Association, the American Council for an Energy Efficient Economy, the American Wind Energy Association, the Chesapeake Climate Action Network, the Energy Law and Policy Center, the Geothermal Energy Association, the National Association of State Energy Officials, the National Farmers Union, the Renewable Energy Action Project, the Solar Energy Industries Association, and the Soybean Producers of America, all strong supporters of this important amendment. The Spokane County, and that, Mr. Chairman, is in my corner of the country, the Spokane County Conservation District, the Union of Concerned Scientists, and the Western Organization of Resource Councils, all of these organizations support this amendment offered by the gentlewoman from South Dakota (Ms. HERSETH) and the gentlewoman from Ohio (Ms. KAPTUR), the ranking member, because it makes sense. It leads to clean energy; it leads to energy independence. This is what the best of agricultural policy should do for America and the world.

Mr. Chairman, I yield to the gentlewoman from Ohio (Ms. KAPTUR), the ranking member, if she has any further comments.

Ms. KAPTUR. Mr. Chairman, I want to thank the gentleman from Oregon (Mr. WU) so very much for his excellent, excellent summary of what this program has done. I want to thank him also for mentioning all of the organizations that support our efforts here.

I want people to have this one photo in their mind. If we look at total Trichart showing petroleum consumption in the United States, the growing share of imports that are a part of that is apparent. This is just a staggering set of statistics to keep in mind as we witness our nation become more and more and more dependent on imported petroleum. Here, this chart presents the one picture to keep in our minds.

The other one is this: we are at the dawn of the new fuels age. Less than 1 percent, less than 1 percent of what we currently produce in this country do we make ourselves from agriculturally based fuels. The potential literally is unlimited. This bill takes us another small step to open this window to begin to fuel ourselves and put those dollars in our pockets.

So I thank the gentleman for yielding to me. I ask the membership for their support on this Kaptur-Herseth amendment.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Ohio (Ms. KAPTUR).

The amendment was agreed to.

AMENDMENT OFFERED BY MS. HOOLEY OF OREGON

Ms. HOOLEY of Oregon. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. HOOLEY of Oregon:

Page 5, line 15, insert after the dollar amount "(decreased by \$10,000,000)".

Page 18, line 9, insert after the first dollar amount "(increased by \$5,000,000)".

Mr. BONILLA. Mr. Chairman, I ask unanimous consent that debate on this amendment and any amendments thereto be limited to 10 minutes to be equally divided and controlled by the proponent and myself, the opponent.

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

Mr. TOM DAVIS of Virginia. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Ms. HOOLEY of Oregon. Mr. Chairman, my amendment would increase funding for the Animal and Plant Health Inspection Service by \$5 million for the purpose of combating sudden oak death.

Sudden oak death is a relatively new disease, first discovered in California in 1995. Since that time it has spread to nurseries throughout the west coast and actually has also been discovered in New York. Caused by a fungus-like organism that invades susceptible trees through the bark, killing portions of the tree, sudden oak death is dangerous to both the nursery and Christmas tree industries, and to our wild forests.

I want to commend the committee for including some additional funding in this bill for research of sudden oak death. Because of the newness and lack of knowledge we have about this disease, additional research is essential, and I am strongly supportive of these efforts.

In addition to research, however, we must include additional funding to investigate and eradicate sudden oak death, and the bill we have in front of us today falls short of that necessary funding. Last year, APHIS allocated \$15 million toward efforts to fight sudden oak death and is launching a national investigation to determine where sudden oak death is located and how it is spreading. Additional funding is necessary to complete the job.

In Oregon, the nursery industry is the number one sector of agriculture, totaling over \$700 million produced annually. The Oregon Department of Agriculture has acted aggressively in an attempt to identify and eradicate this disease.

Sudden oak death, however, is a national problem, not one unique just to Oregon and, as a result, demands a national solution.

The nursery industry nationally is a \$14 billion industry. Failure to stop the spread of this disease could have devastating effects on the American economy. Canada currently has a quarantine on California nurseries and is considering placing one on Oregon and

Washington. In addition, Korea and Mexico are considering a quarantine that would affect the export of Christmas trees. Even within the United States, States are beginning to place quarantines on other States because of sudden oak death.

Sudden oak death has real economic consequences, and we must take additional steps to fight it. This amendment is merely a step in the longer battle against this disease. This amendment is fully offset, reducing funding from the USDA Buildings and Facilities Account. Even with this reduction, they will receive at least as much money as they did last year. This amendment will help stop sudden oak death and will save American agriculture millions of dollars. I urge my colleagues to support the Hooley-Wu amendment.

Mr. BONILLA. Mr. Chairman, I ask unanimous consent that debate on this amendment and any amendments thereto be limited to 10 minutes, to be equally divided and controlled by the proponent and myself, the opponent.

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

Mr. WEINER. Mr. Chairman, reserving the right to object, has this been cleared with our leadership here, Mr. Chairman?

Mr. BONILLA. I would suggest to the gentleman that he consult with the ranking member.

PARLIAMENTARY INQUIRY

Ms. KAPTUR. Parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentlewoman will state it.

Ms. KAPTUR. Mr. Chairman, we did not hear the gentleman's request.

Mr. BONILLA. The unanimous consent request was that debate on this amendment and any amendments thereto be limited to 10 minutes, to be equally divided and controlled by the proponent and myself, the opponent.

Ms. KAPTUR. Mr. Chairman, is that just on this amendment?

Mr. BONILLA. And any amendments thereto.

Ms. KAPTUR. Just amendments to this amendment?

Mr. BONILLA. And any second degree amendments.

Ms. KAPTUR. We would agree to that.

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

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

Mr. WU. Mr. Chairman, reserving the right to object, are we agreeing to time limitations on all subsequent amendments? Are we agreeing to a 10-minute limit on this amendment only?

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

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

Mr. BONILLA. The unanimous consent request simply applies to this amendment.

Mr. WU. Mr. Chairman, is there any intention of the chairman or of anyone that the chairman knows of to offer a secondary amendment?

Mr. BONILLA. No.

The CHAIRMAN. The gentleman's unanimous consent request is that time be limited to 10 minutes equally divided by each side on this amendment and any amendment to this amendment.

Is there objection to the request of the gentleman from Texas?

Mr. WU. Mr. Chairman, I withdraw my reservation of objection.

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

Mr. BLUMENAUER. Mr. Chairman, reserving the right to object, I would like to understand, there are a number of us who would like to speak to this. I would like to know on the time allocation, if we were to approve the gentleman's request, when the time allocation would begin and how much time would be available to speak to the amendment.

□ 1245

The CHAIRMAN. The unanimous consent would go from this minute forward. It is a unanimous consent request that there be 10 minutes from this point forward on this amendment and any amendment thereto.

Ms. KAPTUR. Mr. Chairman, will the gentleman yield?

Mr. BLUMENAUER. Further reserving the right to object, I yield to the gentlewoman from Ohio.

Ms. KAPTUR. Mr. Chairman, would it be acceptable if we were to move to 15 minutes equally divided?

Mr. BLUMENAUER. We have three people who have been waiting here, patiently watching. I know some people are cranky, and I am going to object unless there is at least 10 minutes that is allocated for the three of us. We are willing to work with you to cut it down, but that is my objection.

Mr. BONILLA. Mr. Chairman, I would be happy to revise the unanimous consent request to say 15 minutes from this point on.

The CHAIRMAN. The unanimous consent request is that this amendment be limited to 15 minutes equally divided.

Mr. BLUMENAUER. Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. The gentleman withdraws his objection. Is there further objection?

Mr. WU. Mr. Chairman, reserving the right to object.

Ms. KAPTUR. Mr. Chairman, we just want to get clarification. We have several speakers on this side, and if we were to be allotted 15 minutes on this side, not divided with the other side, that would allow for all of our people to speak.

The CHAIRMAN. The gentleman from Oregon controls the time under his reservation.

Mr. BONILLA. Mr. Chairman, I withdraw my unanimous consent request.

The CHAIRMAN. The unanimous consent request is withdrawn.

Mr. BONILLA. Mr. Chairman, before I state my objection to the amendment, I would advise Members that if amendments are being brought by the minority Members, that they consult with the ranking member and with the leadership, and once agreements are made about unanimous consents in the future, so that there does not have to be confusion on the floor in response to the unanimous consent. So the request would simply be made in good faith for a little more team work and organization so that we do not have delays like we just experienced that wind up defeating what we are trying to do.

But back to the subject at hand. I am rising in opposition to this amendment that is currently under consideration. We are aware of the sudden oak death causing severe problems, and I share the concern of the authors of this amendment.

In May, USDA transferred \$15.5 million in emergency funds to the Animal and Plant Health Inspection Service to help halt the spread of sudden oak death to noninfested areas of the United States. The APHIS contingency fund, which is an appropriated account, provided an additional \$2.5 million for sudden oak death this year. The bill before us contains almost \$2 million for sudden oak death eradication in fiscal year 2005, the same amount as provided in fiscal year 2004.

The emergency authorities that allowed for the additional funding of \$18 million in 2004 are also in effect for 2005. Some of that \$18 million will be carried over into 2005. So I really think that we are prepared, if the problem is extensive, for anything that may occur in the future, and we can certainly adjust and work with the authorizers and with authors of this amendment to adjust that if necessary.

And, again, I am opposed to the amendment and want to state that clearly.

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

There is an emerging threat to the nursery stock and Christmas tree industries, and I want to recognize my colleague, the gentlewoman from Oregon (Ms. HOOLEY), and the gentleman from Oregon (Mr. BLUMENAUER), and I am pleased of the work with the gentlewoman from Oregon (Ms. HOOLEY) in offering this amendment.

Phytophthora ramorum is the causal agent of sudden oak death. This pathogen causes disease on a wide, wide range of plant species, including many crops important to the nursery industry such as rhododendron and camellia and potentially affects Oregon's Christmas tree industry also.

Together, nursery crops and Christmas trees are crucial not only to jobs in Oregon but they also constitute over \$1 billion in Oregon exports. Oregon, by the way, is the Nation's largest grower of Christmas trees.

Sudden oak death has already resulted in one county-wide quarantine

on nursery products in a county which I represent, Columbia County, Oregon. This disease is threatening Oregon's nursery industry and its Christmas tree growers.

To respond to this threat, Oregon has begun an aggressive joint State and Federal inspection program that will gather and test plants from almost 1,400 nurseries and Christmas tree growers. Each nursery will submit a minimum of 40 plant tissue samples for laboratory analysis.

The ability of the Animal and Plant Health Inspection Service, known as APHIS, to process these samples in a timely manner is absolutely essential to the Oregon agricultural economy, and I want to ensure that APHIS has the necessary resources to do so.

This bill contains \$1.98 million for emerging plant pests. Some of that money will be applied to sudden oak death eradication. I am pleased that this bill does provide some funding for sudden oak death eradication. However, I do not believe that \$1.98 million will provide APHIS with enough resources to deal with the serious threat facing the State of Oregon and the Nation as a whole.

In 2004 alone, USDA had to allocate over \$17 million in emergency and contingency funds for sudden oak death eradication. We are facing the same threat in fiscal year 2005, and we should not, should not as a matter of sound policy, rely solely on emergency funds to meet our needs.

Mr. Chairman, the Hooley-Wu amendment transfers \$5 million to APHIS from the Agriculture buildings and facilities account for the purpose of sudden oak death eradication. These additional funds will ensure that important collaborative efforts between the States and APHIS continue in a timely manner and in an effective way.

I would like to thank my colleagues, the gentlewoman from Oregon (Ms. HOOLEY), the gentleman from Texas (Mr. BONILLA), the gentlewoman from Ohio (Ms. KAPTUR), the Committee on Appropriations Subcommittee on Agriculture, Rural Development, Food and Drug Administration and Related Agencies, staff members and all affiliated staff for their assistance with this issue.

I believe that, by working together, we can minimize the economic impact of sudden oak death in Oregon and around the United States.

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

I will not take the full 5 minutes, in the spirit of trying to move this forward, but I am concerned about the sense of urgency of the problem dealing with sudden oak death. I appreciate my colleagues, the gentlewoman from Oregon (Ms. HOOLEY) and the gentleman from Oregon (Mr. WU), highlighting the problem as it relates to our State.

The nursery industry is an important part of our agricultural base. Just 1 percent of Oregon farm land devoted to

the nursery industry produces 20 percent of total crop value.

This is not just an Oregon problem. We are involved with massive amounts of transfer of plant material around the country, and if we are not able to move quickly to deal with sudden oak death, we risk not just crippling the nursery business in Oregon but it is going to have consequences for people throughout the country as this disease makes its way through the system.

I hope that we would in fact approve this amendment. It is a modest amount of money to make a difference to a \$14 billion national industry and prevent much more serious steps that will need to be taken in the future.

So, with due respect to the chair of the subcommittee, I would hope that my colleagues would approve the amendment to exercise the foresight to avoid a problem in our State, in our region, in the West to avoid becoming truly a national disaster.

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

Mr. Chairman, I rise today in support of the Wu-Hooley amendment. These two individuals from Oregon are doing a big service for not only their State but my State and many States around the country, because it is absolutely important that we control the spread of sudden oak death and that we learn to treat plants effectively that are being affected by this disease.

While sudden oak death's funding through APHIS is set at last year's levels in this bill, this fast-spreading disease has not remained at last year's levels.

In the last year alone, sudden oak death was found for the first time in a nursery in southern California, and there is evidence that it has spread to the Northeast and also the Southeast part of the United States, and that ignores the fact that we have already invested \$5 million to find out what is the cause and how do we treat it.

Nurseries in California are struggling with quarantines that have been put in place against them and their nursery products in Canada and also in our own country in Kentucky, and quarantines of nurseries in Washington State and Oregon State are also under scrutiny.

I have been advocating on behalf of funding to fight this disease since it first appeared in my district in Marin County in 1995. Sudden oak death continues in spite of my efforts and in spite of the \$5 million that the Federal Government has invested in finding out the cause and what we can be doing about it. Sudden oak death continues to slowly but surely spread, and more and more communities around the country have come to understand that this disease is devastating, and it absolutely must be addressed.

And I remind you that sudden oak death's funding to date has not made a dent in the problem. In fact, the problem spreads.

Mr. Chairman, I ask that my colleagues join me in supporting this

amendment before sudden oak affects the entire country. Please do not wait until this disease spreads to your own community before your beautiful trees, beautiful oak trees in Marin County or rhododendron plants around the country, before these trees and these plants turn brown, before they die, before they have to be taken away, before you recognize that this is a real problem and we must put the proper funding behind it. Vote yes on the Hooley-Wu amendment.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Oregon (Ms. HOOLEY).

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

Ms. HOOLEY of Oregon. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Oregon (Ms. HOOLEY) will be postponed.

The point of no quorum is considered withdrawn.

AMENDMENT OFFERED BY MR. WEINER

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

Mr. BONILLA. Mr. Chairman, as the amendment is being brought forward, I would like to reserve a point of order. We have not seen this amendment yet.

The CHAIRMAN. The point of order is reserved.

The Clerk read as follows:

Amendment offered by Mr. WEINER:

Page 5, line 15, insert "(decreased by \$19,667,000)" after the dollar amount.

Page 18, line 9, insert "(increased by \$19,667,000)" after the 1st dollar amount.

□ 1300

Mr. WEINER. Mr. Chairman, I wanted to thank the chairman and ranking member of the subcommittee for their work on this bill.

In this bill we are investing in the neighborhood of about \$47 million to wipe out the boll weevil. It poses a threat to an important U.S. commodity. It poses a threat to a way of life to many people. In fact, at the same time we are dramatically reducing the funds necessary to wipe out the Asian long horn beetle, my friend here. The Asian long horn beetle has devastated trees in New York, Illinois and New Jersey and is showing a path that could spread to over half the trees in the United States.

There is a way that we can stop this. An eradication program was begun by APHIS 3 years ago funded by this Congress that has finally started to crest the expansion of this pest. Unfortunately, in the chairman's mark we underfund by a magnitude of about \$20 million what APHIS says will be necessary to eradicate the threat.

The problem that we face here in this House is we run the risk of wasting a rather substantial investment of money that we have paid in the last 2

fiscal years to wipe out this insect. What this bug has done since 1996 has devastated trees throughout New York, and I know the old story about the tree growing in Brooklyn. In fact, there are thousands and thousands of trees that have been impacted already and without a steady investment of funds will continue to.

What we propose to do here is not to take the optimum amount of funding. According to the State of New York, it would take about \$72 million a year for the next 5 years in order to wipe out this pest, but take the minimum amount that APHIS says they require, which is \$30 million over the next several years, to eradicate this threat so it does not move any further.

Right now, Ground Zero for this problem is in the New York-New Jersey area; but we have seen it spring up in the center of the country in Illinois. We have also seen how difficult it is to get a handle on it. To be very honest with you, the only way they have found to get rid of this pest once it is in a tree is to chop down the tree and scrap it and to shred that tree to bits. We cannot risk over 47 percent of the trees in this country which, according to the Department of Agriculture, are susceptible to this threat. Now is the time to cut it off at the tentacles or whatever it has. Now is the time for us to continue our battle against this.

The last thing we should be doing, Mr. Chairman, is allowing the good work of the committee in the past which has invested money to wipe this out and then say, essentially, we will stop on a dime and revert to a place where we will try to hold this in check until we have more money. We have started on this path. The only responsible thing to do is to continue on this program which will require about \$30 million a year.

My amendment provides an additional \$19.6 million which would prevent this pest from spreading any further.

Mr. Chairman, I would like to respond to the point of order.

POINT OF ORDER

The CHAIRMAN. Does the gentleman from Texas (Mr. BONILLA) still insist on his point of order?

Mr. BONILLA. I do, Mr. Chairman.

Mr. Chairman, the amendment offered by the gentleman from New York (Mr. WEINER) proposes to amend portions of the bill not yet read. The amendment may not be considered en bloc under clause 2(f) of rule XXI because the amendment proposes to increase the level of outlays in the bill.

I ask for a ruling from the Chair.

The CHAIRMAN. Does the gentleman from New York (Mr. WEINER) wish to be heard on the point of order?

Mr. WEINER. Yes, Mr. Chairman.

Mr. Chairman, am I right that there are two parts to the point of order? One, that we have not yet reached page 5 which my amendment strikes; and the second part is that it increases outlays; is that correct?

The CHAIRMAN. The Chair is prepared to rule on the point of order offered by the gentleman from Texas (Mr. BONILLA).

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

The CHAIRMAN. The gentleman is recognized.

Mr. WEINER. Mr. Chairman, I am asking is the point of order, does it make two separate points? One being we have not reached the page and the other being that it does outlays? Just so I understand what I am responding to.

The CHAIRMAN. The point of order is that the amendment reaches ahead to a portion of the bill not yet read, and that a possible defense of that point of order is not available unless the amendment is both budget authority and outlay neutral.

Mr. WEINER. Mr. Chairman, if I could be heard on the point of order. We are at the chapter of the bill. We are at page 5. We are at the relevant paragraph of the bill. That is a matter of fact. And as far as the outlays, this has previously been scored for another amendment, and I am making a 6 percent reduction, and we are waiting for word from CBO, which hopefully will be coming momentarily which will clarify the other point.

The CHAIRMAN. Does the gentleman wish to be heard further on his point of order?

Mr. WEINER. I think I have just about maximized my statement.

The CHAIRMAN. The Chair is prepared to rule.

Does the gentlewoman from Ohio (Ms. KAPTUR) wish to be heard on the point of order?

Ms. KAPTUR. I wish to be heard on the point of order.

I wonder if the majority could share the CBO scoring with us. We do not have a report back, or at least it has not been referred to us in general.

Mr. BONILLA. Mr. Chairman, we are prepared to hear the ruling on the point of order.

The CHAIRMAN. The Chair is prepared to rule on the point of order.

Ms. KAPTUR. Do I take it there is no CBO scoring that the majority is able to provide us with?

The CHAIRMAN. The Chair will rule on this point of order.

Mr. WEINER. May I be heard on the point of order?

If the ruling of the Chair is that we have not yet reached that point, will I be free to offer it again when the time is more propitious?

Ms. KAPTUR. Mr. Chairman, I did not get an answer to my question. Mr. Chairman, I asked the majority whether they have the information on the CBO scoring. The minority does not have that report. If this is going to be a factor in the judgment of the Chair, we would appreciate the information.

The CHAIRMAN. The Chair is attempting to answer the gentleman from New York's (Mr. WEINER) question.

The first instruction is in order at this time in the reading. The second instruction touches a portion of the bill not yet read.

Mr. WEINER. Mr. Chairman, so if you are required under the rule to have an offset, then obviously they are going to be at two different sections of the bill. How can you possibly offer them two places at once?

The CHAIRMAN. In order to avail itself of clause 2(f) of rule XXI, the offset must be budget authority neutral and outlay neutral, and the proponent of the amendment has the burden of proof that it is outlay neutral.

Mr. WEINER. If I can further be heard, so the point in the bill we are at is not in issue? It is only whether it is budget and outlay neutral?

The CHAIRMAN. That is correct. The Chair is prepared to rule.

Mr. WEINER. Does the gentlewoman from Ohio (Ms. KAPTUR) want to be heard on this?

Ms. KAPTUR. Yes, Mr. Chairman. I was trying to get a clarification from the Chair. If the majority has objections based on CBO numbers, where are those numbers? They have not been provided to the minority. So we do not understand the nature of the objection.

The CHAIRMAN. The Chair is prepared to rule. The Chair would like to cite page 822 of the House Rules and Manual. It says as follows: "The burden is on the proponent of an amendment to show that the amendment does not increase levels of budget authority or outlays within the meaning of clause 2(f)."

To be considered en bloc pursuant to clause 2(f) of rule XXI, an amendment must not propose to increase the levels of budget authority or outlays in the bill. Because the amendment offered by the gentleman from New York (Mr. WEINER) proposes a net increase in the levels of outlays in the bill as argued by the chairman of the subcommittee on appropriations, it may not avail itself of clause 2(f) to address portions of the bill not yet read.

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

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

Mr. Chairman, I would ask the gentleman from Texas (Mr. BONILLA) to enter into a colloquy.

On January 7, 2004, the National Academies of Sciences released a report, "Biological Confinement of Genetically Engineered Organisms." The study focused on biological methods for confining transgenic crop plants, grasses, trees, fish, shell fish, and insects. The study provides an evaluation of current scientific understanding of various methods, advantages of each method, reasons why methods fail, possibilities for minimization and mitigation of those failures, feasibility of large scale screening for failures, and ecological consequences of wide-spread use of these biological confinement methods.

On February 23, 2004, the Union of Concerned Scientists released a pilot

study, "Gone to Seed: Transgenic Contaminants in the Traditional Seed Supply," which found genetically injured DNA is contaminating traditional seeds of three major U.S. crops: corn, soy beans, and canola. Seed contamination if left unchecked could disrupt agricultural trade, unfairly burden the organic industry, and allow hazardous materials into the food supply. These results show that confinement of existing transgenic crops has failed and make the National Academies of Sciences report critical.

In response, 15 Members of Congress, including me, sent a letter to the Secretary of Agriculture, Ann Veneman, on April 2, 2004, seeking a response by the USDA to the UCS pilot study. The letter raised several concerns, including the potential elimination of traditional, nongenetically engineered seeds, the threat to organic farming, and the potential contamination of food by pharmaceutical and industrial crops.

On June 23, 2004, the Under Secretary of Research, Education and Economics, Joseph Jen, in a letter agreed with the conclusion of the UCS report that contamination has occurred and even went further to say that it was not unexpected. Moreover, he further stated that "testing larger sample sizes in other crops would likely yield much the same results: transgene DNA occurs in seed lots of 'nontransgenic' varieties at a frequency within accepted commercial tolerances." Essentially, the USDA admits that contamination is occurring.

In light of the USDA agreement that contamination is ongoing, I would like to work with the chairman and ranking member to take action necessary to minimize the contamination of nongenetically engineered seeds, protect organic farm production, and prevent contamination of the food supply by pharmaceutical and industrial crops.

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

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

Mr. BONILLA. Mr. Chairman, I would state that I appreciate the gentleman's statement and would work with him to both support the development of the biotech industry and protect the environment and food supply.

Mr. KUCINICH. I thank the gentleman very much.

AMENDMENT OFFERED BY MR. WEINER

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

The Clerk read as follows:

Amendment offered by Mr. WEINER:

Page 5, line 15, insert "(decreased by \$19,667,000)" after the dollar amount.

Page 18, line 9, insert "(increased by \$18,000,000)" after the 1st dollar amount.

Mr. BONILLA. Mr. Chairman, I reserve a point of order on this amendment. We have not seen this amendment.

The CHAIRMAN. A point of order is reserved.

The gentleman from New York (Mr. WEINER) is recognized for 5 minutes.

Mr. WEINER. Mr. Chairman, in the interest of time, I have already made my remarks; I want to try to facilitate as quickly as possible the amendment.

The justification is the same. The number has been changed to reflect what the CBO said would be necessary to take into account the change in the rate of outlays to accommodate the Budget Authority change that we are trying to make.

□ 1315

If the chairman would like for me to yield to him on my time, I would, in the interest of time, if he has any questions about the amendment. If not, in that case, let me just summarize again.

The number that we chose to increase by would provide what APHIS says is the necessary full funding to eradicate this pest, which is something that has ravaged New York City, ravaged Queens and Brooklyn, also has been spotted most troubling in Illinois and in New Jersey. We would be dramatically walking away from our commitment to wiping out this pest if we were to reduce to the chairman's mark.

We have to decide what we want to do. Do we want to take this cause that we have decided is necessary to be eradicated, we funded tens of millions of the dollars to eradicate it by a date certain? If we were to adopt the number in the chairman's mark, we would essentially be saying a lot of that money would be wasted because we would allow that pest to further infect trees not only in New York and New Jersey and Connecticut but apparently all throughout the Midwest.

I ask for a favorable consideration.

POINT OF ORDER

The CHAIRMAN. Does the gentleman from Texas (Mr. BONILLA) insist on his point of order?

Mr. BONILLA. Mr. Chairman, I do have a point of order.

Mr. Chairman, the amendment offered by the gentleman from New York proposes to amend portions of the bill not yet read. The amendment may not be considered en bloc under clause 2(f) of rule XXI because the amendment proposes to increase the level of outlays in the bill.

I ask for a ruling from the Chair.

The CHAIRMAN. Does the gentleman from New York wish to be heard on the point of order?

Mr. WEINER. Mr. Chairman, I have a fax here from the CBO scoring section that confirms that my amendment's outlays do not exceed the budget authority. As to the point of order, I still am not clear on. We are at page 5 where my amendment chooses to decrease funding.

The CHAIRMAN. The Chair will examine the CBO estimate.

Mr. BONILLA. Mr. Chairman, I withdraw my point of order.

The CHAIRMAN. Does anyone else wish to be heard on this amendment?

Ms. KAPTUR. Mr. Chairman, I rise in support of the amendment.

I rise in support of the gentleman from New York's (Mr. WEINER) amend-

ment regarding these APHIS accounts. He is particularly focused on the Asian long-horned beetle which is devastating there in New York City and Chicago. We have many other invasive species. The chart I am holding here gives some representation of the exponential increase in this particular account which combats these destructive invasive species. We call it APHIS. That stands for Animal Plant Health Inspection Service.

If we look at the beginning of the 1990s to the present, the number of invasive species coming into this country is phenomenal, largely due to uninspected and nonfumigated material, much of it live, that ends up causing billions of dollars worth of biological damage across this country. Our forest systems are threatened. City trees are threatened. Our nursery industry is threatened. The maple sugar industry is threatened. If we look in every corner of this country, we have got an invasive species problem.

What we have been doing, and I support the gentleman's amendment, is to try to assist the States to remediate even when there are no known biological predators for the given problem.

This is a multibillion dollar problem we are trying to take care of with old technology in the sense that we are only taking taxpayer money to try to solve this problem, rather than place the burden on those commercial importers and others through our trade agreements who are causing the problem in the first place. We cannot let all the trees in New York City be wasted nor Emerald Ash borer in Ohio and Michigan that are killing all of our ash trees.

We have a serious national problem. It is absorbing more and more of the money inside of our agriculture bill.

I think the gentleman's amendment is very worthy. It is really a trade-off between a few windows in an account in buildings and facilities versus live material throughout in the country and major, major ecosystems that are threatened with absolute extinction.

So there is no question we have to support the gentleman's amendment. But, long term, we have asked the U.S. Department of Agriculture time and again concerning these trade agreements to find us answers that deal with environmental remediation, that places the burden on those who are responsible for the damage in the first place. Every single year when they appear before our committee, they have no answer.

This Secretary went to Qatar. I said to her, Madam Secretary, deal with these environmental problems that are causing devastation across our country. It never came out in any kind of a trade discussion that occurred by this administration.

So, at the least, we have to support this gentleman's amendment. But let us recognize the magnitude of this problem that is being placed on the taxpayers of every single one of our

States and especially burdensome to, for example, the citizens of Florida, the citizens of Ohio and Michigan, the citizens of New York and Illinois. We can go across this country. But until we get environmental standards built into these trade agreements, we are going to continue to gouge the taxpayers of this country.

It is the wrong solution. But it is the only one we have. So I want to support the gentleman's amendment. It is just too bad that the only place we have to go is the taxpayers rather than finding solution as we do in any other tort case that you would have before the courts of this country i.e., those enterprises that caused the problems in the first place should assume the burden of remediation I think the Asian longhorned beetle came from China.

Mrs. MALONEY. Mr. Chairman, will the gentlewoman yield?

Ms. KAPTUR. I yield to the gentleman from New York.

Mrs. MALONEY. Mr. Chairman, I also would like to underscore the importance of this amendment. The beetle has struck two parks in the district that I represent. Once they infest the trees, they have to all be chopped down. They have been found three blocks from Central Park in New York, and we are trying mightily to keep it out of Central Park and from moving to the upstate forested area of New York State and moving to other States.

We have to stop the beetle and spend as much money as it takes. Because once they infest a tree, the only alternative is to chop the tree down and all the trees in the surrounding area. It is a tremendous crisis of the environment in our neighborhood, and I strongly support the ranking member's statements and the gentleman's amendment.

Ms. KAPTUR. Mr. Chairman, I thank the gentlewoman for her comments and would call for a vote on the amendment.

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

Mr. Chairman, I want to make it clear that I oppose this amendment. This is a very important issue that the gentleman from New York raises. We have increased the funding in APHIS to address situations like this around the country. This was at the request of the gentleman from New York and also the other gentleman from New York (Mr. HINCHEY), who sits on the subcommittee.

We realize that there may be an additional need for more money down the road, and if that need does arise, it could come from the CCC fund under emergency designation. So this is not like we are ignoring this issue. We simply feel like we, for the time being, have put sufficient funds into this account and would address it later if needed.

So, again, I rise in opposition to this amendment.

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

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

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

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

Are there any further amendments to this paragraph?

If not, the Clerk will read.

The Clerk read as follows:

HAZARDOUS MATERIALS MANAGEMENT
(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Department of Agriculture, to comply with the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 et seq.) and the Resource Conservation and Recovery Act (42 U.S.C. 6901 et seq.), \$15,730,000, 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, \$22,939,000, 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, \$3,852,000: *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, \$9,378,000: *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, \$78,392,000, 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.

AMENDMENT NO. 13 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. 13 offered by Mr. BLUMENAUER:

Page 8, line 6, after the first dollar amount insert the following: "(reduced by \$1,200,000) (increased by \$1,200,000)".

Mr. BONILLA. Mr. Chairman, I ask unanimous consent that debate on this amendment and any amendments thereto be limited to 20 minutes to be equally divided and controlled by the proponent and myself, the opponent.

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

There was no objection.

The CHAIRMAN. The gentleman from Oregon (Mr. BLUMENAUER) is recognized for 10 minutes.

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

I am happy to expedite this issue. I rise to offer this amendment in collaboration with my colleague, the gentleman from Colorado (Mr. TANCREDO), to provide an additional \$1.2 million to improve the enforcement of Federal animal fighting laws. This is a perennial problem that the Federal Government has a critical role to solve.

Last year, the House passed an amendment to increase funding by \$800,000, and I am appreciative for the approval by the body of that legislation and appreciate the growing support to combat these dangerous activities that threaten the health and well-being of both humans and animals and threaten the prosperity of our agricultural industry.

We have had earlier this year over 130 representatives and 47 members of the other body requesting this \$1.2 million increase for animal fighting enforcement in letters to the Committee on Appropriations, Subcommittee on Agriculture, Rural Development, Food and Drug Administration and Related Agencies. This broad bipartisan support reflects our constituents' concern for meaningful enforcement of the Federal animal law, but, despite this broad bipartisan support, there are no additional funds designated within the account specifically for this task.

This amendment would provide \$1.2 million for the Office of Inspector General, the chief law enforcement arm of the USDA, to focus on animal fighting cases, working closely with State and local enforcement personnel to complement their efforts.

This funding does not take money away from any other programs. It simply removes funds from the Office of Inspector General, places them back into the same account to designate the \$1.2 million for enforcement of animal fighting laws.

Now, while the Inspector General did receive an increase in funding this year, it was to compensate for salary and cost increases and was not specifically providing funding for the enforcement of animal fighting.

Even though dog fighting is banned in 50 States and cockfighting is banned in 48, the Federal Government, as I mentioned earlier, must be involved because participants in animal fights often come together from several States at a time and animals are routinely moved across State lines.

Make no mistake, this is not some innocent pastime. Dogfighting and cockfighting are barbaric activities in which animals are given drugs to make them hyperaggressive, drugs to clot their blood more quickly so they can keep fighting longer. They are forced by their handlers to keep fighting even after they have suffered grievous injuries such as pierced lungs and gouged eyes. Dogfights and cockfights do not only involve deplorable animal abuse but they are inevitably, without question, involved with illegal gambling, often drug traffic and violence to people.

It is well-documented that animal fighters often bring their children to these spectacles, sending a terrible message to them about animal cruelty and violence and subjecting them to the aforementioned illegal activities.

Some dogfighters even steal pets to use as bait for training their dogs. Some abandon the fighting animals, leaving them to roam neighborhoods and wreak havoc. Any dog bred and trained to fight poses a public safety risk, and there have been numerous tragic examples, many involving children.

Animal fighting also poses a severe threat to the stability of our Nation's agricultural economy. This is something we brought to the floor in the past and I feel has not been given the attention that it needs.

Secretary of Agriculture Veneman indicated in a letter from January that cockfighting has been implicated in the introduction and spread of exotic Newcastle Disease in California in years 2002 and 2003 which cost United States taxpayers nearly \$200 million to eradicate and cost the United States poultry industry many millions more in lost export markets.

□ 1330

"We believe," the Secretary says, "that tougher penalties and prosecution will help deter illegal movement of birds as well as the inhumane practice of cockfighting itself."

It has also been implicated in the deaths of at least two children in Asia this year who were exposed through

cockfighting activities to bird flu. This is why the National Chicken Council, which represents 95 percent of U.S. poultry producers and processors, has stated that they are "concerned that the nationwide traffic in game birds creates a continuing hazard for the dissemination of animal diseases."

Surely, Mr. Chairman, spending this \$1.2 million to crack down on illegal animal fighting is a wise investment to prevent the spread of costly future diseases. Animal fighting is no longer simply an animal welfare issue, although it certainly is that. It is an epidemic that costs taxpayers millions of dollars. It threatens our food supply and destroys the hard work of American farmers, promoting illegal gambling and drug activities and putting the public at risk.

I strongly urge my colleagues to vote in support of this amendment.

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

Mr. BONILLA. Mr. Chairman, I yield myself such time as I may consume, and I rise in opposition to the amendment.

Mr. Chairman, I am opposed to the amendment for several reasons. First, the additional \$400,000, a 50 percent increase above the fiscal year 2004 level, would go to the Inspector General for dog fighting and cockfighting enforcement and result in offsetting cuts in critical OIG activities such as BSE investigations and fighting food stamp fraud. Does the gentleman really wish to cut these programs? These are very important functions.

Second, the Department has told us that animal fighting enforcement is difficult to implement because it is just a misdemeanor offense under the Federal Animal Welfare Act. Adding more money to the budget will not solve this problem. There is, however, proposed legislation in both the House and the Senate to make animal fighting a felony offense. If that legislation is enacted, then it may be appropriate to consider additional funds in the future. OIG is strongly opposed to this amendment.

Third, we cannot justify a 50 percent increase in this program when we have cut overall discretionary spending on ag programs by \$67 million from last year's levels. This bill already is very supportive of programs to ensure the humane care and treatment of animals. The bill already includes, for example, \$800,000 for animal fighting enforcement in the Office of Inspector General's budget. Further, we provided \$315,000 for animal welfare and a \$225,000 increase for regulatory enforcement in the APHIS program and have fully funded \$5 million for enforcement of the Humane Methods of Slaughter Act and the Food Safety and Inspection Service.

If the sponsors of this amendment were serious about this, programs like the ones I just mentioned are the ones that should be cut to pay for this amendment; but then that would force

them to prioritize, like we all have to do. We have put a lot of work into this bill, and we feel like we have addressed all the issues being addressed here today. I would strongly support continuing along that road and rejecting this amendment.

I oppose this amendment and want to make that very clear.

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

Mr. BLUMENAUER. Mr. Chairman, may I inquire as to the remainder of my time.

The CHAIRMAN. The gentleman from Oregon has 4 minutes remaining.

Mr. BLUMENAUER. Mr. Chairman, I yield 3 minutes to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Mr. Chairman, I thank the gentleman very much for yielding me this time, and I rise in strong support of the Blumenauer-Tancredo amendment.

Mr. Chairman, I recognize that the limited additional funds being proposed here for the Inspector General to focus on animal fighting certainly reflects what is happening in our country. Last year, we supported the amendments to provide \$800,000 for the Inspector General to focus on animal fighting cases. This is a modest expansion to that.

One of the items I wanted to point out is that when the Inspector General gets funds and they are able to work on a problem, if there is criminal wrongdoing there is a financial recovery to the government of the United States. An absolute relationship between the funds we give to the Inspector General and the ability for general accounts, Treasury accounts, to have increased criminal payments because of the litigation that is done through the Inspector General's office.

So even though there is a little more money being provided in the amendment, believe me, it will be recovered and returned to the Treasury because of the fantastic job that the Inspector General does. In fact, we will probably end up with more money in the general treasury as a result of this amendment.

With all that is going on with animal diseases, I think it is fair to say the Department should be more vigilant with respect to animal welfare issues. And I want to commend the gentleman from Oregon (Mr. BLUMENAUER) and the gentleman from Colorado (Mr. TANCREDO) for bringing this forward. It is a shame that funds are not requested within the administration's request; but they, like us, are trying to deal with unrealistically small allocations that our committee has been given.

We will certainly support this amendment and hope to increase the Inspector General's accounts even more as we move toward conference. So the gentleman has my support and I commend him very much.

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

Mr. BLUMENAUER. Mr. Chairman, the remaining time is?

The CHAIRMAN. Two minutes.

Mr. BLUMENAUER. Mr. Chairman, I yield myself the balance of my time, and let me conclude by saying that I appreciate the expressions of interest and concern on the part of my friend, the distinguished Chair of the subcommittee. The point is, after having worked on this issue now for over 3 years in this Congress, I find that this is extraordinarily elusive. And the reason it is elusive, and the reason that animal fighting continues in this country to be a problem, is because Congress does not step forward to stop it.

The gentleman mentioned the problem, that it is a misdemeanor. So people do not want to deal with enforcement. That was a tactical decision that was made by the people who apologize for this interest. There are, make no mistake about it, lobbyists here for illegal game-fighting birds, for example, who ply their trade here behind closed doors in Congress, and who have successfully fought to keep the criminal provisions as low as they can so that they can use the excuse, when the issue comes forward, well, we really cannot enforce it because the penalty provisions are not strong enough.

It is time for us to say enough to illegal animal fighting for dogs and game birds. My distinguished friend from Ohio points out that there are opportunities to recover money if we were aggressive about it and to stop using the excuse that because we, Congress, refuse to increase the penalties, well, then, we are not going to mess with it. I would strongly suggest that we stop hiding behind this smoke screen and stop serving as an apologist for a despicable industry.

I look forward to working with my friend to increase the penalties. But in the meantime, approve this amendment and send a signal that we want what we have to be enforced.

Mr. TANCREDO. Mr. Chairman, I rise in support of the Blumenauer-Tancredo amendment. I am proud, once again, to join forces with my colleague from Oregon on this important issue. This amendment would provide \$1,200,000 to the Office of Inspector General, the chief law enforcement arm of USDA, to focus on animal fighting cases, working closely with state and local law enforcement personnel to complement their efforts.

Last year we were successful in offering an amendment that secured \$800,000 for the Office of Inspector General to combat animal fighting. This year, we are taking the funds that are already going to the Office of Inspector General and ensuring that \$1.2 million goes into enforcing the law.

This is a small investment to avoid further very costly disease outbreaks spread by illegal cockfighters. According to a letter that Agriculture Secretary Ann Veneman sent on May 24th to the Appropriations Committee, "fighting birds have been implicated in the introduction and spread of exotic Newcastle disease in California in 2002–2003, which cost U.S. taxpayers nearly \$200 million to eradicate, and cost to the U.S. poultry industry many millions more in lost export markets." Secretary Veneman also notes that illegal cockfighting poses risks of spreading other diseases such

as avian influenza, which has the potential to directly harm people.

It's not a lot of money. It will help send a signal to those engaged in illegal dogfighting and cockfighting activities across state lines that there is some threat of federal prosecution. Given the USDA's history of non-enforcement in this area, we think it's important for Congress to take the opportunity to send a signal that we want their continued attention on this.

With your help last year, we were able to help the United States Department of Agriculture enforce the law. This year, we continue to ask you to help us give the USDA the tools they need to accomplish this goal.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oregon (Mr. BLUMENAUER).

The amendment was agreed to.

The CHAIRMAN. Are there further amendments to this paragraph?

If not, the Clerk will read.

The Clerk read as follows:

OFFICE OF THE GENERAL COUNSEL

For necessary expenses of the Office of the General Counsel, \$35,486,000.

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, \$592,000.

ECONOMIC RESEARCH SERVICE

For necessary expenses of the Economic Research Service in conducting economic research and analysis, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1621–1627) and other laws, \$76,575,000.

NATIONAL AGRICULTURAL STATISTICS SERVICE

For necessary expenses of the National Agricultural Statistics Service in conducting statistical reporting and service work, including crop and livestock estimates, statistical coordination and improvements, marketing surveys, and the Census of Agriculture, as authorized by 7 U.S.C. 1621–1627 and 2204g, and other laws, \$128,661,000, of which up to \$22,520,000 shall be available until expended for the Census of Agriculture.

AGRICULTURAL RESEARCH SERVICE

SALARIES AND EXPENSES

For necessary expenses to enable the Agricultural Research Service to perform agricultural research and demonstration relating to production, utilization, marketing, and distribution (not otherwise provided for); home economics or nutrition and consumer use including the acquisition, preservation, and dissemination of agricultural information; and for acquisition of lands by donation, exchange, or purchase at a nominal cost not to exceed \$100, and for land exchanges where the lands exchanged shall be of equal value or shall be equalized by a payment of money to the grantor which shall not exceed 25 percent of the total value of the land or interests transferred out of Federal ownership, \$1,057,029,000: *Provided*, That appropriations hereunder shall be available for the operation and maintenance of aircraft and the purchase of not to exceed one for replacement only: *Provided further*, That appropriations hereunder shall be available

pursuant to 7 U.S.C. 2250 for the construction, alteration, and repair of buildings and improvements, but unless otherwise provided, the cost of constructing any one building shall not exceed \$375,000, except for headhouses or greenhouses which shall each be limited to \$1,200,000, and except for 10 buildings to be constructed or improved at a cost not to exceed \$750,000 each, and the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building or \$375,000, whichever is greater: *Provided further*, That the limitations on alterations contained in this Act shall not apply to modernization or replacement of existing facilities at Beltsville, Maryland: *Provided further*, That appropriations hereunder shall be available for granting easements at the Beltsville Agricultural Research Center: *Provided further*, That the foregoing limitations shall not apply to replacement of buildings needed to carry out the Act of April 24, 1948 (21 U.S.C. 113a): *Provided further*, That funds may be received from any State, other political 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 all rights and title of the United States in the 1.0664-acre parcel of land including improvements, as recorded at Book 1320, Page 253, records of Larimer County, State of Colorado, shall be conveyed to the Board of Governors of the Colorado State University for the benefit of Colorado State University.

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, \$202,000,000, 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, \$628,607,000, as follows: to carry out the provisions of the Hatch Act of 1887 (7 U.S.C. 361a–i), \$180,648,000; for grants for cooperative forestry research (16 U.S.C. 582a through a–7), \$22,384,000; for payments to the 1890 land-grant colleges, including Tuskegee University and West Virginia State College (7 U.S.C. 3222), \$37,000,000, 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)), \$88,194,000; for special grants for agricultural research on improved pest control (7 U.S.C. 450i(c)), \$15,756,000; for competitive research grants (7 U.S.C. 450i(b)), \$180,000,000; for the support of animal health and disease programs (7 U.S.C. 3195), \$5,098,000; for supplemental and alternative crops and products (7 U.S.C. 3319d), \$1,196,000; for grants for research pursuant to the Critical Agricultural Materials Act (7 U.S.C. 178 et seq.), \$1,111,000, 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), \$1,087,000, to remain available until expended; for rangeland research grants (7 U.S.C. 3333), \$1,000,000; for higher education graduate fellowship grants (7 U.S.C.

3152(b)(6)), \$4,500,000, to remain available until expended (7 U.S.C. 2209b); for higher education challenge grants (7 U.S.C. 3152(b)(1)), \$5,500,000; for a higher education multicultural scholars program (7 U.S.C. 3152(b)(5)), \$998,000, to remain available until expended (7 U.S.C. 2209b); for an education grants program for Hispanic-serving Institutions (7 U.S.C. 3241), \$5,645,000; for non-competitive grants for the purpose of carrying out all provisions of 7 U.S.C. 3242 (section 759 of Public Law 106-78) to individual eligible institutions or consortia of eligible institutions in Alaska and in Hawaii, with funds awarded equally to each of the States of Alaska and Hawaii, \$2,997,000; for a secondary agriculture education program and 2-year post-secondary education (7 U.S.C. 3152(j)), \$1,000,000; for aquaculture grants (7 U.S.C. 3322), \$4,000,000; for sustainable agriculture research and education (7 U.S.C. 5811), \$12,722,000; 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 College, \$12,411,000, to remain available until expended (7 U.S.C. 2209b); for payments to the 1994 Institutions pursuant to section 534(a)(1) of Public Law 103-382, \$2,250,000; for resident instruction grants for insular areas under section 1491 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3363), \$500,000; and for necessary expenses of Research and Education Activities, \$42,610,000.

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

NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

For the Native American Institutions Endowment Fund authorized by Public Law 103-382 (7 U.S.C. 301 note), \$12,000,000.

EXTENSION ACTIVITIES

For payments to States, the District of Columbia, Puerto Rico, Guam, the Virgin Islands, Micronesia, Northern Marianas, and American Samoa, \$440,349,000, 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, \$277,242,000; 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, \$58,909,000; payments for the pest management program under section 3(d) of the Act, \$10,759,000; payments for the farm safety program under section 3(d) of the Act, \$4,600,000; payments to upgrade research, extension, and teaching facilities at the 1890 land-grant colleges, including Tuskegee University and West Virginia State College, as authorized by section 1447 of Public Law 95-113 (7 U.S.C. 3222b), \$16,912,000, to remain available until expended; payments for youth-at-risk programs under section 3(d) of the Smith-Lever Act, \$3,481,000; for youth farm safety education and certification extension grants, to be awarded competitively under section 3(d) of the Act, \$499,000; payments for carrying out the provisions of the Renewable Resources Extension Act of 1978 (16 U.S.C. 1671 et seq.), \$4,093,000; payments for Indian reservation agents under section 3(d) of the Smith-Lever Act, \$1,996,000; payments for sustainable agriculture programs under section 3(d) of the Act, \$4,000,000; 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 College, \$33,133,000, of which \$1,724,884 shall be made available only for the purpose of ensuring that each institution shall receive no less than \$1,000,000; and for necessary expenses of Extension Activities, \$16,452,000.

INTEGRATED ACTIVITIES

For the integrated research, education, and extension grants programs, including necessary administrative expenses, \$66,255,000, 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), \$43,242,000, including \$12,971,000 for the water quality program, \$14,967,000 for the food safety program, \$4,531,000 for the regional pest management centers program, \$4,889,000 for the Food Quality Protection Act risk mitigation program for major food crop systems, \$1,497,000 for the crops affected by Food Quality Protection Act implementation, \$2,498,000 for the methyl bromide transition program, and \$1,889,000 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, \$1,000,000; for grants programs authorized under section 2(c)(1)(B) of Public Law 89-106, as amended, \$2,500,000, to remain available until September 30, 2006 for the critical issues program, and \$1,513,000 for the regional rural development centers program; and \$18,000,000 for the homeland security program authorized under section 1484 of the National Agricultural Research, Extension, and Teaching Act of 1977, to remain available until September 30, 2006.

OUTREACH FOR SOCIALLY DISADVANTAGED FARMERS

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

OFFICE OF THE UNDER SECRETARY FOR MARKETING AND REGULATORY PROGRAMS

For necessary salaries and expenses of the Office of the Under Secretary for Marketing and Regulatory Programs to administer programs under the laws enacted by the Congress for the Animal and Plant Health Inspection Service; the Agricultural Marketing Service; and the Grain Inspection, Packers and Stockyards Administration; \$721,000.

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, \$808,823,000, of which \$4,119,000 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 \$47,000,000 shall be used for the boll weevil eradication program for cost share purposes or for debt retirement for active eradication zones: *Provided*, That no funds shall be used to formulate or administer a brucellosis eradication program for the current fiscal year that does not require minimum matching by the States of at least 40 percent: *Provided further*, That this appropriation shall be available for the oper-

ation and maintenance of aircraft and the purchase of not to exceed four, of which two shall be for replacement only: *Provided further*, That, in addition, in emergencies which threaten any segment of the agricultural production industry of this country, the Secretary may transfer from other appropriations or funds available to the agencies or corporations of the Department such sums as may be deemed necessary, to be available only in such emergencies for the arrest and eradication of contagious or infectious disease or pests of animals, poultry, or plants, and for expenses in accordance with sections 10411 and 10417 of the Animal Health Protection Act (7 U.S.C. 8310 and 8316) and sections 431 and 442 of the Plant Protection Act (7 U.S.C. 7751 and 7772), and any unexpended balances of funds transferred for such emergency purposes in the preceding fiscal year shall be merged with such transferred amounts: *Provided further*, That appropriations hereunder shall be available pursuant to law (7 U.S.C. 2250) for the repair and alteration of leased buildings and improvements, but unless otherwise provided the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

In fiscal year 2005, the agency is authorized to collect fees to cover the total costs of providing technical assistance, goods, or services requested by States, other political subdivisions, domestic and international organizations, foreign governments, or individuals, provided that such fees are structured such that any entity's liability for such fees is reasonably based on the technical assistance, goods, or services provided to the entity by the agency, and such fees shall be credited to this account, to remain available until expended, without further appropriation, for providing such assistance, goods, or services.

BUILDINGS AND FACILITIES

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

AGRICULTURAL MARKETING SERVICE

MARKETING SERVICES

For necessary expenses to carry out services related to consumer protection, agricultural marketing and distribution, transportation, and regulatory programs, as authorized by law, and for administration and coordination of payments to States, \$75,892,000, 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 \$64,459,000 (from fees collected) shall be obligated during the current fiscal year for administrative expenses: *Provided*, That if crop size is understated and/or other uncontrollable events occur, the agency may exceed this limitation by up to 10 percent with notification to the Committees on Appropriations of both Houses of Congress.

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

(INCLUDING TRANSFERS OF FUNDS)

Funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), shall be used only for commodity program expenses as authorized therein, and other related operating expenses, except for: (1) transfers to the Department of Commerce as authorized by the Fish and Wildlife Act of August 8, 1956; (2) transfers otherwise provided in this Act; and (3) not more than \$15,800,000 for formulation and administration of marketing agreements and orders pursuant to the Agricultural Marketing Agreement Act of 1937 and the Agricultural Act of 1961.

PAYMENTS TO STATES AND POSSESSIONS

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

GRAIN INSPECTION, PACKERS AND
STOCKYARDS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of the United States Grain Standards Act, for the administration of the Packers and Stockyards Act, for certifying procedures used to protect purchasers of farm products, and the standardization activities related to grain under the Agricultural Marketing Act of 1946, \$37,540,000: *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, \$595,000.

FOOD SAFETY AND INSPECTION SERVICE

SALARIES AND EXPENSES

For necessary expenses to carry out services authorized by the Federal Meat Inspection Act, the Poultry Products Inspection Act, and the Egg Products Inspection Act, including not to exceed \$50,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), \$824,746,000, of which no less than \$746,010,000 shall be available for Federal food safety inspection; and in addition, \$1,000,000 may be credited to this account from fees collected for the cost of laboratory accreditation as authorized by section 1327 of the Food, Agriculture, Conservation and Trade Act of 1990 (7 U.S.C. 138f): *Provided*, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

OFFICE OF THE UNDER SECRETARY FOR FARM
AND FOREIGN AGRICULTURAL SERVICES

For necessary salaries and expenses of the Office of the Under Secretary for Farm and Foreign Agricultural Services to administer the laws enacted by Congress for the Farm Service Agency, the Foreign Agricultural Service, the Risk Management Agency, and the Commodity Credit Corporation, \$631,000.

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, \$1,007,597,000: *Provided*, That the Secretary is authorized to use the services, facilities, and authorities (but not the funds) of the Commodity Credit Corporation to make program payments for all programs administered by the Agency: *Provided further*, That other funds made available to the Agency for authorized activities may be advanced to and merged with this account.

STATE MEDIATION GRANTS

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

DAIRY INDEMNITY PROGRAM

(INCLUDING TRANSFERS OF FUNDS)

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

AGRICULTURAL CREDIT INSURANCE FUND
PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed farm ownership (7 U.S.C. 1922 et seq.) and operating (7 U.S.C. 1941 et seq.) loans, Indian tribe land acquisition loans (25 U.S.C. 488), and boll weevil loans (7 U.S.C. 1989), to be available from funds in the Agricultural Credit Insurance Fund, as follows: farm ownership loans, \$1,600,000,000, of which \$1,400,000,000 shall be for guaranteed loans and \$200,000,000 shall be for direct loans; operating loans, \$2,116,253,000, of which \$1,200,000,000 shall be for unsubsidized guaranteed loans, \$266,253,000 shall be for subsidized guaranteed loans and \$650,000,000 shall be for direct loans; Indian tribe land acquisition loans, \$2,000,000; and for boll weevil eradication program loans, \$100,000,000: *Provided*, That the Secretary shall deem the pink bollworm to be a boll weevil for the purpose of boll weevil eradication program loans.

For the cost of direct and guaranteed loans, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, as follows: farm ownership loans, \$18,120,000, of which \$7,420,000 shall be for guaranteed loans, and \$10,700,000 shall be for direct loans; operating loans, \$139,783,000, of which \$38,760,000 shall be for unsubsidized guaranteed loans, \$35,438,000 shall be for subsidized guaranteed loans, and \$65,585,000 shall be for direct loans; and Indian tribe land acquisition loans, \$105,000.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, \$297,445,000, of which \$289,445,000 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 Ac-

count for farm ownership and operating direct loans and guaranteed loans may be transferred among these programs: *Provided*, That the Committees on Appropriations of both Houses of Congress are notified at least 15 days in advance of any transfer.

RISK MANAGEMENT AGENCY

ADMINISTRATIVE AND OPERATING EXPENSES

For administrative and operating expenses, as authorized by section 226A of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6933), \$72,044,000: *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 Agriculture Service, up to \$5,000,000 may be transferred to and used by the Foreign Agriculture Service for information resource management activities of the Foreign Agricultural Service that are related, either directly or indirectly, 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, \$731,000.

NATURAL RESOURCES CONSERVATION
SERVICE

CONSERVATION OPERATIONS

For necessary expenses for carrying out the provisions of the Act of April 27, 1935 (16 U.S.C. 590a-f), including preparation of conservation plans and establishment of measures to conserve soil and water (including farm irrigation and land drainage and such

special measures for soil and water management as may be necessary to prevent floods and the siltation of reservoirs and to control agricultural related pollutants); operation of conservation plant materials centers; classification and mapping of soil; dissemination of information; acquisition of lands, water, and interests therein for use in the plant materials program by donation, exchange, or purchase at a nominal cost not to exceed \$100 pursuant to the Act of August 3, 1956 (7 U.S.C. 428a); purchase and erection or alteration or improvement of permanent and temporary buildings; and operation and maintenance of aircraft, \$813,673,000, of which not less than \$9,250,000 is for snow survey and water forecasting, and not less than \$11,722,000 is for operation and establishment of the plant materials centers, and of which not less than \$23,500,000 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: *Provided further*, That none of the funds made available under this paragraph by this or any other appropriations Act may be used to provide technical assistance with respect to programs listed in section 1241(a) of the Food Security Act of 1985 (16 U.S.C. 3841(a)).

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), \$11,083,000: *Provided*, That none of the funds made available under this paragraph by this or any other appropriations Act may be used to provide technical assistance with respect to programs listed in section 1241(a) of the Food Security Act of 1985 (16 U.S.C. 3841(a)).

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, \$86,487,000, 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 \$40,000,000 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: *Provided further*, That none of the funds made available under this paragraph by this or any other appropriations Act may be used to provide technical assistance with respect to programs listed in section 1241(a) of the Food Security Act of 1985 (16 U.S.C. 3841(a)).

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, \$30,091,000, to remain available until expended: *Provided*, That none of the funds made available under this paragraph by this or any other appropriations Act may be used to provide technical assistance with respect to programs listed in section 1241(a) of the Food Security Act of 1985 (16 U.S.C. 3841(a)).

RESOURCE CONSERVATION AND DEVELOPMENT

For necessary expenses in planning and carrying out projects for resource conservation and development and for sound land use pursuant to the provisions of sections 31 and 32 of the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1010–1011; 76 Stat. 607); the Act of April 27, 1935 (16 U.S.C. 590a–f); and subtitle H of title XV of the Agriculture and Food Act of 1981 (16 U.S.C. 3451–3461), \$51,641,000, to remain available until expended: *Provided*, That none of the funds made available under this paragraph by this or any other appropriations Act may be used to provide technical assistance with respect to programs listed in section 1241(a) of the Food Security Act of 1985 (16 U.S.C. 3841(a)): *Provided further*, That the Secretary shall enter into a cooperative or contribution agreement 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 \$3,504,300 shall be available for national headquarters activities.

TITLE III

RURAL DEVELOPMENT PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR RURAL DEVELOPMENT

For necessary salaries and expenses of the Office of the Under Secretary for Rural Development to administer programs under the laws enacted by the Congress for the Rural Housing Service, the Rural Business-Cooperative Service, and the Rural Utilities Service of the Department of Agriculture, \$632,000.

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, \$667,408,000, to remain available until expended, of which \$39,539,000 shall be for rural community programs described in section 381E(d)(1) of such Act; of which \$552,689,000 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 \$75,180,000 shall be for the rural business and cooperative development programs described in sections

381E(d)(3) and 310B(f) of such Act: *Provided*, That of the total amount appropriated in this account, \$24,000,000 shall be for loans and grants to benefit Federally Recognized Native American Tribes, including grants for drinking water and waste disposal systems pursuant to section 306C of such Act, of which \$4,000,000 shall be available for community facilities grants to tribal colleges, as authorized by section 306(a)(19) of the Consolidated Farm and Rural Development Act, and of which \$250,000 shall be available for a grant to a qualified national organization to provide technical assistance for rural transportation in order to promote economic development: *Provided further*, That of the amount appropriated for rural community programs, \$6,200,000 shall be available for a Rural Community Development Initiative: *Provided further*, That such funds shall be used solely to develop the capacity and ability of private, nonprofit community-based housing and community development organizations, low-income rural communities, and Federally Recognized Native American Tribes to undertake projects to improve housing, community facilities, community and economic development projects in rural areas: *Provided further*, That of the amount appropriated for the Rural Community Development Initiative, not less than \$200,000 shall be in the form of predevelopment planning grants, not to exceed \$50,000 each, with the balance for low-interest revolving loans to be used for capital and other related expenses, and made available to nonprofit based community development organizations: *Provided further*, That such organizations should demonstrate experience in the administration of revolving loan programs and providing technical assistance to cooperatives: *Provided further*, That such funds shall be made available to qualified private, nonprofit and public intermediary organizations proposing to carry out a program of financial and technical assistance: *Provided further*, That such intermediary organizations shall provide matching funds from other sources, including Federal funds for related activities, in an amount not less than funds provided: *Provided further*, That of the amount appropriated for the rural business and cooperative development programs, not to exceed \$500,000 shall be made available for a grant to a qualified national organization to provide technical assistance for rural transportation in order to promote economic development; \$2,000,000 shall be for grants to the Delta Regional Authority (7 U.S.C. 1921 et seq.): *Provided further*, That of the amount appropriated for rural utilities programs, not to exceed \$25,000,000 shall be for water and waste disposal systems to benefit the Colonias along the United States/Mexico border, including grants pursuant to section 306C of such Act; not to exceed \$17,500,000 shall be for technical assistance grants for rural water and waste systems pursuant to section 306(a)(14) of such Act, of which \$5,513,000 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 \$22,166,000 shall be available through June 30, 2005, for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones; of which \$1,081,000 shall be for the rural community programs described in section 381E(d)(1) of such Act, of which \$12,582,000 shall be for the rural utilities programs described in section 381E(d)(2) of such Act, and of which \$8,503,000 shall be for the rural business and cooperative development programs described in section

381E(d)(3) of such Act: *Provided further*, That any prior year balances for high cost energy grants authorized by section 19 of the Rural Electrification Act of 1936 (7 U.S.C. 901(19)) shall be transferred to and merged with the "Rural Utilities Service, High Energy Costs Grants Account".

RURAL DEVELOPMENT

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for carrying out the administration and implementation of programs in the Rural Development mission area, including activities with institutions concerning the development and operation of agricultural cooperatives; and for cooperative agreements; \$143,625,000: *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: \$4,409,297,000 for loans to section 502 borrowers, as determined by the Secretary, of which \$1,100,000,000 shall be for direct loans, and of which \$3,309,297,000 shall be for unsubsidized guaranteed loans; \$35,000,000 for section 504 housing repair loans; \$116,063,000 for section 515 rental housing; \$100,000,000 for section 538 guaranteed multi-family housing loans; \$5,045,000 for section 524 site loans; \$11,501,000 for credit sales of acquired property, of which up to \$1,501,000 may be for multi-family credit sales; and \$10,000,000 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, \$160,988,000, of which \$127,380,000 shall be for direct loans, and of which \$33,608,000, to remain available until expended, shall be for unsubsidized guaranteed loans; section 504 housing repair loans, \$10,171,000; repair and rehabilitation of section 515 rental housing, \$54,654,000; section 538 multi-family housing guaranteed loans, \$3,490,000; multi-family credit sales of acquired property, \$727,000: *Provided*, That of the total amount appropriated in this paragraph, \$7,100,000 shall be available through June 30, 2005, for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, \$448,889,000, 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, \$592,000,000; and, in addition, such sums as may be necessary, as authorized by section 521(c) of the Act, to liquidate debt incurred prior to fiscal year 1992 to carry out the rental assistance program under section 521(a)(2) of the Act: *Provided*, That of this amount, not more than \$5,900,000 shall be available for debt forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Act, and not to exceed \$20,000 per project for advances to 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 four-year period: *Provided further*, That any unexpended balances remaining at the end of such four-year agreements may be transferred and used for the purposes of any debt reduction; maintenance, repair, or rehabilitation of any existing projects; preservation; and rental assistance activities authorized under title V of the Act.

MUTUAL AND SELF-HELP HOUSING GRANTS

For grants and contracts pursuant to section 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C. 1490c), \$34,000,000 to remain available until expended: *Provided*, That of the total amount appropriated, \$1,000,000 shall be available through June 30, 2005, 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, \$42,500,000, to remain available until expended: *Provided*, That of the total amount appropriated, \$1,800,000 shall be available through June 30, 2005, for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

FARM LABOR PROGRAM ACCOUNT

For the cost of direct loans, grants, and contracts, as authorized by 42 U.S.C. 1484 and 1486, \$36,765,000, to remain available until expended, for direct farm labor housing loans and domestic farm labor housing grants and contracts.

RURAL BUSINESS-COOPERATIVE SERVICE

RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the principal amount of direct loans, as authorized by the Rural Development Loan Fund (42 U.S.C. 9812(a)), \$34,213,000.

For the cost of direct loans, \$15,868,000, 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, 2005, for Federally Recognized Native American Tribes and of which \$3,449,000 shall be available through June 30, 2005, for the Delta Regional Authority (7 U.S.C. 1921 et seq.): *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That of the total amount appropriated, \$2,447,000 shall be available through June 30, 2005, for the cost of direct loans for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Ag-

riculture as Rural Economic Area Partnership Zones.

In addition, for administrative expenses to carry out the direct loan programs, \$4,321,000 shall be transferred to and merged with the appropriation for "Rural Development, Salaries and Expenses".

RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM ACCOUNT

(INCLUDING RESCISSION OF FUNDS)

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

For the cost of direct loans, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, \$4,698,000, to remain available until expended.

Of the funds derived from interest on the cushion of credit payments in the current fiscal year, as authorized by section 313 of the Rural Electrification Act of 1936, \$4,698,000 shall not be obligated and \$4,698,000 are rescinded.

□ 1345

Mr. LAHOOD. 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. MILLER of Florida) having assumed the chair, Mr. BASS, 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. 4766) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2005, and for other purposes, had come to no resolution thereon.

LIMITATION ON AMENDMENTS DURING FURTHER CONSIDERATION OF H.R. 4766, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2005

Mr. LAHOOD. Mr. Speaker, I ask unanimous consent that during further consideration of H.R. 4766 in the Committee of the Whole pursuant to House Resolution 710 the bill be considered as read and open for amendment at any point and no further amendment to the bill may be offered except:

Pro forma amendments offered at any point in the reading by the chairman or ranking minority member of the Committee on Appropriations or their designees for the purpose of debate;

Amendments 4, 5, 6, 8, and 12;

Amendments 7, 10, and 13, each of which shall be debatable for 20 minutes;

An amendment by the gentlewoman from Ohio (Ms. KAPTUR) regarding Farmers Market Promotion Program, which shall be debatable for 20 minutes;

An amendment by the gentlewoman from Ohio (Ms. KAPTUR) regarding