

H.R. 1508: Mr. WATT.
 H.R. 1605: Mr. MEEHAN.
 H.R. 1684: Mr. LAHOOD.
 H.R. 1749: Mr. DEFazio.
 H.R. 1878: Mr. CASE.
 H.R. 1998: Mr. SESSIONS, Mr. NADLER, and Mr. GUTIERREZ.
 H.R. 2008: Mr. TIERNEY.
 H.R. 2237: Mrs. LOWEY.
 H.R. 2256: Mr. MCGOVERN.
 H.R. 2262: Mr. BUTTERFIELD.
 H.R. 2286: Mr. MEEHAN.
 H.R. 2503: Mr. ANDREWS.
 H.R. 2724: Mr. FATTAH.
 H.R. 2891: Mr. MEEHAN.
 H.R. 2959: Mr. VAN HOLLEN.
 H.R. 3111: Mr. GRAVES, Mr. TOWNS, Mr. FORD, Mr. GREEN of Texas, and Mr. FATTAH.
 H.R. 3142: Mr. WU.
 H.R. 3195: Mr. RANGEL.
 H.R. 3243: Mr. SHAYS, Mr. KUCINICH, Ms. DELAURO, Mrs. JONES of Ohio, Ms. CARSON of Indiana, Mrs. CHRISTENSEN, Mr. McNULTY, Mr. SCOTT of Georgia, Mr. PASTOR, Ms. SLAUGHTER, Mr. ANDREWS, Mrs. MCCARTHY of New York, Mr. WATT, Mr. MCDERMOTT, Mr. MICHAUD, Mr. MORAN of Virginia, Mr. MENENDEZ, Mr. VAN HOLLEN, and Mr. FILNER.
 H.R. 3281: Ms. BALDWIN and Mr. LANGEVIN.
 H.R. 3352: Mr. YOUNG of Alaska.
 H.R. 3450: Mr. WYNN and Mr. BOSWELL.
 H.R. 3459: Mr. KUCINICH, Ms. HERSETH, Mrs. CAPPS, and Mr. VAN HOLLEN.
 H.R. 3473: Mr. DAVIS of Tennessee.
 H.R. 3543: Mr. BARRETT of South Carolina.
 H.R. 3545: Mr. OLVER.
 H.R. 3672: Mr. MEEHAN.
 H.R. 3729: Ms. BERKLEY, Mr. CARSON of Oklahoma, Mr. MCINTYRE, Mr. LEWIS of Georgia, and Mr. FRANKS of Arizona.
 H.R. 3776: Mr. CRANE.
 H.R. 3929: Mr. KENNEDY of Minnesota.
 H.R. 4026: Mr. WYNN and Mr. JOHNSON of Illinois.
 H.R. 4067: Mr. SERRANO.
 H.R. 4102: Mr. WEXLER.
 H.R. 4169: Mr. KING of New York and Mr. ACKERMAN.
 H.R. 4264: Mr. ISAKSON and Mr. NADLER.
 H.R. 4350: Mr. MEEHAN.
 H.R. 4473: Ms. ESHOO and Mr. WYNN.
 H.R. 4491: Mr. GONZALEZ, Mr. MILLER of North Carolina, Mr. PORTER, Ms. BALDWIN, Mr. MICHAUD, Mr. WEINER, Mr. OWENS, Mr. RANGEL, Mr. PAUL, Mr. CROWLEY, Mr. REYES, Mr. SESSIONS, and Mr. TANNER.
 H.R. 4543: Mr. VITTER.
 H.R. 4598: Mrs. CHRISTENSEN, Mr. MCDERMOTT, and Mrs. MILLER of Michigan.
 H.R. 4628: Mr. SABO.
 H.R. 4662: Mr. MILLER of Florida.
 H.R. 4668: Mr. ALLEN.
 H.R. 4682: Mr. GEPHARDT, Mr. Gordon, Mr. DEFazio, Mr. RODRIGUEZ, Mr. REYES, Mr. WU, and Ms. WATERS.
 H.R. 4703: Mr. FROST.
 H.R. 4730: Mr. PLATTS, Ms. KILPATRICK, and Mr. EVANS.
 H.R. 4740: Mr. EVANS.
 H.R. 4849: Mr. SAM JOHNSON of Texas and Mr. McNULTY.
 H.R. 4851: Mr. KINGSTON, Mr. FEENEY, and Mr. KING of Iowa.
 H.R. 4898: Mr. HINCHEY and Mr. NADLER.
 H.R. 4910: Ms. CARSON of Indiana, Mr. VAN HOLLEN, Mr. MEEHAN, Ms. KAPTUR, and Ms. LINDA T. SANCHEZ of California.
 H.R. 4936: Ms. DEGETTE, Mr. FORD, Mr. MORAN of Virginia, Mr. PRICE of North Carolina, and Mrs. MALONEY.
 H.R. 4978: Mr. SERRANO and Ms. WATSON.
 H.R. 5024: Mr. UDALL of Colorado.
 H.R. 5040: Mr. UDALL of Colorado.
 H.R. 5057: Mr. HEFLEY, Mr. SWEENEY, Mr. CUMMINGS, Ms. SLAUGHTER, Ms. LINDA T. SANCHEZ of California, Mr. KUCINICH, Ms. MAJETTE, Mr. WYNN, Mr. ENGEL, Mr. MARKEY, Mr. LANGEVIN, Ms. WOOLSEY, Mr. REYES, and Mr. BILIRAKIS.

H.R. 5061: Mr. BERMAN and Mrs. CAPPS.
 H.R. 5110: Mr. HINCHEY.
 H.R. 5111: Mr. BRADLEY of New Hampshire.
 H.R. 5113: Mr. MICHAUD and Ms. HERSETH.
 H.R. 5114: Mr. SHIMKUS.
 H.R. 5132: Mr. BLUMENAUER.
 H.R. 5150: Mr. ALLEN and Mr. UDALL of Colorado.
 H.R. 5152: Mr. BURNS.
 H.R. 5165: Mr. SESSIONS and Mr. LUCAS of Kentucky.
 H.R. 5167: Ms. HOOLEY of Oregon, Mr. ABERCROMBIE, Mr. GILCHREST, and Mr. GREEN of Wisconsin.
 H.R. 5170: Mr. EVANS.
 H.R. 5174: Mr. LIPINSKI.
 H.R. 5185: Mr. EHLERS, Mr. PORTER, Mr. BURNS, and Mr. WILSON of South Carolina.
 H.R. 5186: Mr. GRAVES, Mr. EHLERS, Mr. PORTER, Mr. BURNS, Mr. NEUGEBAUER, and Mr. SIMMONS.
 H.R. 5188: Mr. BRADY of Texas, Mr. PUTNAM, Mr. OSBORNE, and Mr. OSE.
 H.R. 5190: Mr. SHUSTER.
 H.R. 5191: Mr. LANTOS.
 H.R. 5203: Mr. NETHERCUTT, Mr. HINCHEY, Mr. OTTER, Mr. PRICE of North Carolina, Mr. MICHAUD, Mrs. KELLY, and Mr. MATHESON.
 H.R. 5213: Mr. BROWN of Ohio.
 H. Con. Res. 137: Mr. WEXLER.
 H. Con. Res. 276: Mr. MOLLOHAN.
 H. Con. Res. 464: Ms. ROS-LEHTINEN.
 H. Con. Res. 482: Ms. JACKSON-LEE of Texas, Mr. OWENS, Mr. CAPUANO, Mr. CONYERS, Ms. DELAURO, Ms. CORRINE BROWN of Florida, and Mr. BISHOP of Georgia.
 H. Con. Res. 492: Mr. NEAL of Massachusetts.
 H. Con. Res. 502: Mr. SMITH of Texas and Mr. ETHERIDGE.
 H. Con. Res. 503: Mr. BROWN of Ohio, Ms. MCCARTHY of Missouri, Mr. TOWNS, Mr. MCDERMOTT, Mr. LAMPSON, Ms. ESHOO, Mr. McNULTY, Mr. CROWLEY, Ms. SCHAKOWSKY, and Mr. STARK.
 H. Con. Res. 509: Mr. TIAHRT.
 H. Res. 28: Mr. PASTOR.
 H. Res. 720: Mr. GARY G. MILLER of California and Mr. BRADLEY of New Hampshire.
 H. Res. 758: Mr. RAHALL, Mr. GRIJALVA, Ms. WOOLSEY, Ms. MCCOLLUM, Mr. RYAN of Ohio, Mr. KLECZKA, Ms. SCHAKOWSKY, Mr. STRICKLAND, Mr. HINCHEY, Mr. SMITH of Michigan, and Mr. LANTOS.
 H. Res. 768: Mr. SANDERS, Mr. DEUTSCH, Mr. BLUMENAUER, and Mr. FRANK of Massachusetts.
 H. Res. 782: Mr. FARR, Mr. KUCINICH, Mr. WAXMAN, Mr. BAIRD, and Mr. VAN HOLLEN.
 H. Res. 805: Ms. WOOLSEY, Mr. GONZALEZ, Mr. FROST, and Mr. KILDEE.
 H. Res. 810: Mr. CONYERS, Mr. FRANK of Massachusetts, Mr. PAYNE, Mrs. CHRISTENSEN, and Ms. ROS-LEHTINEN.
 H. Res. 812: Mr. MCGOVERN.
 H. Res. 813: Mr. JEFFERSON.
 H. Res. 820: Mr. JOHNSON of Illinois, Mrs. BIGGERT, and Mr. THOMAS.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

117. The SPEAKER presented a petition of the Inhabitants of the Town of Shutesbury, Massachusetts, relative to a declaration petitioning for the strengthening of the Nuclear Non-Proliferation Treaty, the ceasing of all nuclear development programs, and calling for a plan for a nuclear-weapons free world; to the Committee on International Relations.

118. Also, a petition of Mr. Joseph Sulzer, a Citizen of Tacoma, Washington, relative to a notice of fraud, and petitioning the United

States Congress for redress of grievances; to the Committee on Ways and Means.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 5212

OFFERED BY: MR. NEUGEBAUER

AMENDMENT No. 2: In section 101, strike the section heading and subsection (a) and insert the following (and redesignate existing subsections (b) through (f) accordingly):

SEC. 101. AGRICULTURAL DISASTER ASSISTANCE.

(a) CROP DISASTER ASSISTANCE.—

(1) DEFINITIONS.—In this subsection:

(A) ADDITIONAL COVERAGE.—The term “additional coverage” has the meaning given the term in section 502(b) of the Federal Crop Insurance Act (7 U.S.C. 1502(b)).

(B) INSURABLE COMMODITY.—The term “insurable commodity” means an agricultural commodity (excluding livestock) for which the producers on a farm are eligible to obtain a policy or plan of insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.).

(C) NONINSURABLE COMMODITY.—The term “noninsurable commodity” means an agricultural commodity for which the producers on a farm are eligible to obtain assistance under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333).

(2) EMERGENCY FINANCIAL ASSISTANCE.—Notwithstanding section 508(b)(7) of the Federal Crop Insurance Act (7 U.S.C. 1508(b)(7)), the Secretary of Agriculture shall use such sums as are necessary of funds of the Commodity Credit Corporation to make emergency financial assistance authorized under this subsection available to producers on a farm that have incurred qualifying crop or quality losses for the 2003 or 2004 crop (as elected by a producer), but not both crops, due to damaging weather or related condition, as determined by the Secretary.

(3) ADMINISTRATION.—The Secretary shall make assistance available under this subsection in the same manner as provided under section 815 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 106-387; 114 Stat. 1549A-55), including using the same loss thresholds for the quantity and quality losses as were used in administering that section.

(4) INELIGIBILITY FOR ASSISTANCE.—Except as provided in paragraph (5), the producers on a farm shall not be eligible for assistance under this subsection with respect to losses to an insurable commodity or noninsurable commodity if the producers on the farm—

(A) in the case of an insurable commodity, did not obtain a policy or plan of insurance for the insurable commodity under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) for the crop incurring the losses; and

(B) in the case of a noninsurable commodity, did not file the required paperwork, and pay the administrative fee by the applicable State filing deadline, for the noninsurable commodity under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333) for the crop incurring the losses.

(5) CONTRACT WAIVER.—The Secretary may waive paragraph (4) with respect to the producers on a farm if the producers enter into a contract with the Secretary under which the producers agree—

(A) in the case of an insurable commodity, to obtain a policy or plan of insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) providing additional coverage for the

insurable commodity for each of the next 2 crops; and

(B) in the case of a noninsurable commodity, to file the required paperwork and pay the administrative fee by the applicable State filing deadline, for the noninsurable commodity for each of the next 2 crops under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333).

(6) EFFECT OF VIOLATION.—In the event of the violation of a contract under paragraph (5) by a producer, the producer shall reimburse the Secretary for the full amount of the assistance provided to the producer under this subsection.

(7) PAYMENT LIMITATIONS.—

(A) LIMIT ON AMOUNT OF ASSISTANCE.—Assistance provided under this subsection to a producer for losses to a crop, together with the amounts specified in subparagraph (B) applicable to the same crop, may not exceed 95 percent of what the value of the crop would have been in the absence of the losses, as estimated by the Secretary.

(B) OTHER PAYMENTS.—In applying the limitation in subparagraph (A), the Secretary shall include the following:

(i) Any crop insurance payment made under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) or payment under section 196 of the Federal Agricultural Improvement and Reform Act of 1996 (7 U.S.C. 7333) that the producer receives for losses to the same crop.

(ii) The value of the crop that was not lost (if any), as estimated by the Secretary.

(C) EFFECT OF FLORIDA DISASTER PROGRAMS.—The amount of assistance that a producer would otherwise receive under this

subsection shall be reduced by the amount of assistance that the producer receives for the same loss under the Florida Disaster Programs carried out pursuant to the Farm Service Agency notice (DAP-203) released October 4, 2004.

(b) LIVESTOCK ASSISTANCE PROGRAM.—

(1) EMERGENCY FINANCIAL ASSISTANCE.—The Secretary of Agriculture shall use such sums as are necessary of funds of the Commodity Credit Corporation to make and administer payments for livestock losses to producers for 2003 or 2004 losses (as elected by a producer), but not both, in a county that has received an emergency designation by the President or the Secretary after January 1, 2003, of which an amount determined by the Secretary shall be made available for the American Indian livestock program under section 806 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 106-387; 114 Stat. 1549A-51).

(2) ADMINISTRATION.—The Secretary shall make assistance available under this subsection in the same manner as provided under section 806 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 106-387; 114 Stat. 1549A-51).

(3) MITIGATION.—In determining the eligibility for or amount of payments for which a producer is eligible under the livestock assistance program, the Secretary shall not penalize a producer that takes actions (recognizing disaster conditions) that reduce the average number of livestock the producer owned for grazing during the production year for which assistance is being provided.

(c) TREE ASSISTANCE PROGRAM.—

(1) EMERGENCY ASSISTANCE.—The Secretary of Agriculture shall use such sums as are necessary of the funds of the Commodity Credit Corporation to provide assistance under the tree assistance program established under sections 10201 through 10204 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8201 et seq.) to producers who suffered tree losses during the period beginning on December 1, 2003, and ending on December 31, 2004.

(2) ADDITIONAL ASSISTANCE.—In addition to providing assistance to eligible orchardists under the tree assistance program, the Secretary shall use an additional \$15,000,000 of the funds of the Commodity Credit Corporation to provide reimbursement under section 10203 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8203) to eligible forest land owners who produce periodic crops of timber from trees for commercial purposes and who have suffered tree losses during the period specified in paragraph (1).

(d) EMERGENCY CONSERVATION PROGRAM.—The Secretary of Agriculture shall use an additional \$50,000,000 of the funds of the Commodity Credit Corporation to provide assistance under the Emergency Conservation Program under title IV of the Agriculture Credit Act of 1978 (16 U.S.C. 2201 et seq.). Participants in the Emergency Conservation Program shall receive the maximum cost share percentage allowed under section 701.26 of title 7, Code of Federal Regulations.

(e) OFFSET.—Section 1241(a)(3) of the Food Security Act of 1985 (16 U.S.C. 3841(a)(3)) is amended by inserting before the period at the end the following: “, using not more than \$6,037,000,000 for the period of fiscal years 2005 through 2014”.