

going on around Katrina and yet we always dwell on things that are not so successful, but I want to talk about the Coast Guard and some of the great things that the United States Coast Guard has done in the Gulf area.

They have rescued 33,000 lives and evacuated another 9,400 from local hospitals. They delivered tons of food and water to survivors. They have responded to over 650 spills of oil, gas and other hazardous material. They have repaired and replaced several hundred aids to navigation to get ports and waterways reopened to oil, gas and commerce. They brought in over 3,300 servicemen and women and called up another 800 reservists to undertake response operations. And they have moved over 75 aircraft, 25 cutters, 110 small boats into the disaster area to execute and search and rescue.

Their environmental cleanup has been probably the first that has taken place of any government agency. I commend the United States Coast Guard and wish them the best. Keep up the good work.

TEXANS MAKE AMERICA GREAT

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

Mr. SAM JOHNSON of Texas. Mr. Speaker, I rise to praise the people of Texas who have gone to great lengths to assist those devastated by Hurricane Katrina. In my Third District alone, there are shining examples of selflessness, sacrifice and service.

The City of Allen schools have enrolled over 100 evacuees. Plano has enrolled over 500. And in Wylie, a volunteer in a shelter helped a 15-year-old evacuee separated from his family find them in Houston; and then more volunteers drove him down there.

In McKinney, volunteers turned an old Wal-Mart into a shelter for 300 people, and within 48 hours they added showers, decorated play areas, created medical facilities, and even made Internet connections. One sign said it best, "Howdy. Welcome to Texas, y'all."

For these people who have volunteered their time, money and talents, God bless you and God bless America.

It is people like these who make Texas and America great. I salute all of America.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. FOLEY). Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken later today.

REAUTHORIZING THE LIVESTOCK MANDATORY REPORTING ACT OF 1999

Mr. GOODLATTE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3408) to reauthorize the Livestock Mandatory Reporting Act of 1999 and to amend the swine reporting provisions of that Act, as amended.

The Clerk read as follows:

H.R. 3408

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

SECTION 1. EXTENSION.

(a) IN GENERAL.—Chapter 5 of subtitle B of the Agricultural Marketing Act of 1946 (7 U.S.C. 1636 et seq.) is amended by adding at the end the following new section:

"SEC. 260. TERMINATION OF AUTHORITY.

"The authority provided by this subtitle terminates on September 30, 2010."

(b) CONFORMING AMENDMENT AND EXTENSION.—Section 942 of the Livestock Mandatory Reporting Act of 1999 (7 U.S.C. 1635 note; Public Law 106-78) is amended by striking "terminate on September 30, 2005" and inserting "(other than section 911 of subtitle A and the amendments made by that section) terminate on September 30, 2010".

SEC. 2. DEFINITIONS.

(a) BASE MARKET HOGS.—Section 231(4) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1635i(4)) is amended to read as follows:

"(4) BASE MARKET HOG.—The term 'base market hog' means a barrow or gilt for which no discounts are subtracted from and no premiums are added to the base price."

(b) BOARS.—Section 231(5) of such Act (7 U.S.C. 1635i(5)) is amended to read as follows:

"(5) BOAR.—The term 'boar' means a sexually-intact male swine."

(c) PACKER OF SOWS AND BOARS.—Section 231(12) of such Act (7 U.S.C. 1635i(12)) is amended by—

(1) striking subparagraph (B) and inserting the following new subparagraph:

"(B) for any calendar year, the term includes only—

"(i) a swine processing plant that slaughtered an average of at least 100,000 swine per year during the immediately preceding five calendar years; and

"(ii) a person that slaughtered an average of at least 200,000 sows, boars, or any combination thereof, per year during the immediately preceding five calendar years; and"; and

(2) in subparagraph (C)—

(A) by inserting "or person" after "swine processing plant";

(B) by inserting "or person" after "plant capacity of the processing plant"; and

(C) by inserting "or person" after "determining whether the processing plant".

SEC. 3. REPORTING; BARROWS AND GILTS.

Section 232(c) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1635j(c)) is amended to read as follows:

"(c) DAILY REPORTING; BARROWS AND GILTS.—

"(1) PRIOR DAY REPORT.—

"(A) IN GENERAL.—The corporate officers or officially designated representatives of each packer processing plant that processes barrows or gilts shall report to the Secretary, for each business day of the packer, such information as the Secretary determines necessary and appropriate to—

"(i) comply with the publication requirements of this section; and

"(ii) provide for the timely access to the information by producers, packers, and other market participants.

"(B) REPORTING DEADLINE AND PLANTS REQUIRED TO REPORT.—A packer required to report under subparagraph (A) shall—

"(i) not later than 7:00 a.m. Central Time on each reporting day, report information regarding all barrows and gilts purchased or priced, and

"(ii) not later than 9:00 a.m. Central Time on each reporting day, report information regarding all barrows and gilts slaughtered, during the prior business day of the packer.

"(C) INFORMATION REQUIRED.—The information from the prior business day of a packer required under this paragraph shall include—

"(i) all purchase data, including—

"(I) the total number of—

"(aa) barrows and gilts purchased; and

"(bb) barrows and gilts scheduled for delivery; and

"(II) the base price and purchase data for slaughtered barrows and gilts for which a price has been established;

"(ii) all slaughter data for the total number of barrows and gilts slaughtered, including—

"(I) information concerning the net price, which shall be equal to the total amount paid by a packer to a producer (including all premiums, less all discounts) per hundred pounds of carcass weight of barrows and gilts delivered at the plant—

"(aa) including any sum deducted from the price per hundredweight paid to a producer that reflects the repayment of a balance owed by the producer to the packer or the accumulation of a balance to later be repaid by the packer to the producer; and

"(bb) excluding any sum earlier paid to a producer that must later be repaid to the packer;

"(II) information concerning the average net price, which shall be equal to the quotient (stated per hundred pounds of carcass weight of barrows and gilts) obtained by dividing—

"(aa) the total amount paid for the barrows and gilts slaughtered at a packing plant during the applicable reporting period, including all premiums and discounts, and including any sum deducted from the price per hundredweight paid to a producer that reflects the repayment of a balance owed by the producer to the packer, or the accumulation of a balance to later be repaid by the packer to the producer, less all discounts; by

"(bb) the total carcass weight (in hundred pound increments) of the barrows and gilts;

"(III) information concerning the lowest net price, which shall be equal to the lowest net price paid for a single lot or a group of barrows or gilts slaughtered at a packing plant during the applicable reporting period per hundred pounds of carcass weight of barrows and gilts;

"(IV) information concerning the highest net price, which shall be equal to the highest net price paid for a single lot or group of barrows or gilts slaughtered at a packing plant during the applicable reporting period per hundred pounds of carcass weight of barrows and gilts;

"(V) the average carcass weight, which shall be equal to the quotient obtained by dividing—

"(aa) the total carcass weight of the barrows and gilts slaughtered at the packing plant during the applicable reporting period, by

"(bb) the number of the barrows and gilts described in item (aa), adjusted for special slaughter situations (such as skinning or foot removal), as the Secretary determines necessary to render comparable carcass weights;

"(VI) the average sort loss, which shall be equal to the average discount (in dollars per hundred pounds carcass weight) for barrows and gilts slaughtered during the applicable

reporting period, resulting from the fact that the barrows and gilts did not fall within the individual packer's established carcass weight or lot variation range;

“(VII) the average backfat, which shall be equal to the average of the backfat thickness (in inches) measured between the third and fourth from the last ribs, 7 centimeters from the carcass split (or adjusted from the individual packer's measurement to that reference point using an adjustment made by the Secretary) of the barrows and gilts slaughtered during the applicable reporting period;

“(VIII) the average lean percentage, which shall be equal to the average percentage of the carcass weight comprised of lean meat for the barrows and gilts slaughtered during the applicable reporting period, except that when a packer is required to report the average lean percentage under this subclause, the packer shall make available to the Secretary the underlying data, applicable methodology and formulae, and supporting materials used to determine the average lean percentage, which the Secretary may convert to the carcass measurements or lean percentage of the barrows and gilts of the individual packer to correlate to a common percent lean measurement; and

“(IX) the total slaughter quantity, which shall be equal to the total number of barrows and gilts slaughtered during the applicable reporting period, including all types of purchases and barrows and gilts that qualify as packer-owned swine; and

“(iii) packer purchase commitments, which shall be equal to the number of barrows and gilts scheduled for delivery to a packer for slaughter for each of the next 14 calendar days.

“(D) PUBLICATION.—

“(i) IN GENERAL.—The Secretary shall publish the information obtained under this paragraph in a prior day report—

“(I) in the case of information regarding barrows and gilts purchased or priced, not later than 8:00 a.m. Central Time, and

“(II) in the case of information regarding barrows and gilts slaughtered, not later than 10:00 a.m. Central time,

on the reporting day on which the information is received from the packer.

“(ii) PRICE DISTRIBUTIONS.—The information published by the Secretary under clause (i) shall include a distribution of net prices in the range between and including the lowest net price and the highest net price reported. The publication shall include a delineation of the number of barrows and gilts at each reported price level or, at the option of the Secretary, the number of barrows and gilts within each of a series of reasonable price bands within the range of prices.

“(2) MORNING REPORT.—

“(A) IN GENERAL.—The corporate officers or officially designated representatives of each packer processing plant that processes barrows or gilts shall report to the Secretary not later than 10:00 a.m. Central Time each reporting day—

“(i) the packer's best estimate of the total number of barrows and gilts, and barrows and gilts that qualify as packer-owned swine, expected to be purchased throughout the reporting day through each type of purchase;

“(ii) the total number of barrows and gilts, and barrows and gilts that qualify as packer-owned swine, purchased up to that time of the reporting day through each type of purchase;

“(iii) the base price paid for all base market hogs purchased up to that time of the reporting day through negotiated purchases; and

“(iv) the base price paid for all base market hogs purchased through each type of pur-

chase other than negotiated purchase up to that time of the reporting day, unless such information is unavailable due to pricing that is determined on a delayed basis.

“(B) PUBLICATION.—The Secretary shall publish the information obtained under this paragraph in the morning report as soon as practicable, but not later than 11:00 a.m. Central Time, on each reporting day.

“(3) AFTERNOON REPORT.—

“(A) IN GENERAL.—The corporate officers or officially designated representatives of each packer processing plant that processes barrows or gilts shall report to the Secretary not later than 2:00 p.m. Central Time each reporting day—

“(i) the packer's best estimate of the total number of barrows and gilts, and barrows and gilts that qualify as packer-owned swine, expected to be purchased throughout the reporting day through each type of purchase;

“(ii) the total number of barrows and gilts, and barrows and gilts that qualify as packer-owned swine, purchased up to that time of the reporting day through each type of purchase;

“(iii) the base price paid for all base market hogs purchased up to that time of the reporting day through negotiated purchases; and

“(iv) the base price paid for all base market hogs purchased up to that time of the reporting day through each type of purchase other than negotiated purchase, unless such information is unavailable due to pricing that is determined on a delayed basis.

“(B) PUBLICATION.—The Secretary shall publish the information obtained under this paragraph in the afternoon report as soon as practicable, but not later than 3:00 p.m. Central Time, on each reporting day.”

SEC. 4. REPORTING; SOWS AND BOARS.

Section 232 of the Agricultural Marketing Act of 1946 (7 U.S.C. 1635j) is amended by—

(1) redesignating subsection (d) as subsection (e); and

(2) inserting after subsection (c) the following new subsection:

“(d) DAILY REPORTING; SOWS AND BOARS.—

“(1) PRIOR DAY REPORT.—The corporate officers or officially designated representatives of each packer of sows and boars shall report to the Secretary, for each business day of the packer, such information reported by hog class as the Secretary determines necessary and appropriate to—

“(A) comply with the publication requirements of this section; and

“(B) provide for the timely access to the information by producers, packers, and other market participants.

“(2) REPORTING.—Not later than 9:30 a.m. Central Time, or such other time as the Secretary considers appropriate, on each reporting day, a packer required to report under paragraph (1) shall report information regarding all sows and boars purchased or priced during the prior business day of the packer.

“(3) INFORMATION REQUIRED.—The information from the prior business day of a packer required under this subsection shall include all purchase data, including—

“(A) the total number of sows purchased and the total number of boars purchased, each divided into at least three reasonable and meaningful weight classes specified by the Secretary;

“(B) the number of sows that qualify as packer-owned swine;

“(C) the number of boars that qualify as packer-owned swine;

“(D) the average price paid for all sows;

“(E) the average price paid for all boars;

“(F) the average price paid for sows in each weight class specified by the Secretary under subparagraph (A);

“(G) the average price paid for boars in each weight class specified by the Secretary under subparagraph (A);

“(H) the number of sows and the number of boars for which prices are determined, by each type of purchase;

“(I) the average prices for sows and the average prices for boars for which prices are determined, by each type of purchase; and

“(J) such other information as the Secretary considers appropriate to carry out this subsection.

“(4) PRICE CALCULATIONS WITHOUT PACKER-OWNED SWINE.—A packer shall omit the prices of sows and boars that qualify as packer-owned swine from all average price calculations, price range calculations, and reports required by this subsection.

“(5) REPORTING EXCEPTION: PUBLIC AUCTION PURCHASES.—The information required to be reported under this subsection shall not include purchases of sows or boars made by agents of the reporting packer at a public auction at which the title of the sows and boars is transferred directly from the producer to such packer.

“(6) PUBLICATION.—The Secretary shall publish the information obtained under this paragraph in a prior day report not later than 11:00 a.m. Central Time on the reporting day on which the information is received from the packer.

“(7) ELECTRONIC SUBMISSION OF INFORMATION.—The Secretary of Agriculture shall provide for the electronic submission of any information required to be reported under this subsection through an Internet website or equivalent electronic means maintained by the Department of Agriculture.”

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Minnesota (Mr. PETERSON) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia (Mr. GOODLATTE).

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

Mr. Speaker, I rise today in support of H.R. 3408, a bill to reauthorize the Livestock Mandatory Reporting Act of 1999.

Mr. Speaker, when the Congress considered this legislation in 1999, its intent was to improve the livestock market news reporting system so that farmers and ranchers, particularly those that rely on cash market sales, could enjoy improved market transparency and better price discovery.

In particular, the Act provided the USDA with the authority to collect and disseminate information that can be readily understood by livestock producers, packers, and other participants, including information with respect to pricing, contract for purchase, and supply and demand conditions for livestock, livestock production, and livestock products.

The legislation enacted in 1999 was the product of extensive discussion between livestock producers and packers. We relied on this process partly because it was such a technical issue, but mostly we wanted to avoid the situation where segments of the industry were divided against each other. After considerable give and take, the final product was agreed on by all participants.

As the time for reauthorization neared, producers and packers engaged again in a dialogue to develop a consensus proposal for reauthorization. H.R. 3408 is the product of this hard work. The coalition that supports this consensus legislation included the National Pork Producers Council, the American Meat Institute, the National Cattlemen's Beef Association, the Chicago Mercantile Exchange, the American Sheep Industry Association, and the American Farm Bureau Federation.

This package, as it appears before us today, is a carefully crafted document. All of these organizations have agreed that they will oppose it "if any amendment is adopted that does not have the prior agreement" of the coalition.

Mandatory price reporting expires at the end of September, and this bill reauthorizes it for 5 years with minor changes representing the consensus of our constituents.

Mr. Speaker, I would like to thank my colleague, the ranking member, the gentleman from Minnesota (Mr. PETERSON) for working with us on this legislation. I urge my colleagues to support the bill.

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

Mr. PETERSON of Minnesota. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank the chairman for his leadership on this issue. Policy is always best when we can work together in a bipartisan manner to craft legislation which we have done on this piece of legislation and we have legislation that addresses the needs of his stakeholders. I think we have accomplished that today with the reauthorization of the mandatory price reporting law.

I think it should be noted that when this was first put together and considered back in 1999, it was somewhat controversial and there were some groups that were opposed to it. And to show you kind of what has happened this time, the groups that were concerned back then support this law and support this reauthorization.

Originally, it was balanced to address the concerns of the livestock producers with price transparency, and mandatory price reporting I think has served the industry well. Mandatory price reporting is a necessary tool to ensure that our producers have a transparent market atmosphere. As the structure of our livestock production systems continue to change, it is necessary to preserve the safety net that guarantees our producers are receiving fair prices for their livestock.

The legislation we consider today improves the quality and quantity of information, making the process more accurate and more efficient. The 5-year reauthorization is important and should be completed as soon as possible. It is important that we complete this task so we can avoid the gap in reporting that occurred last year.

I am pleased to support this bill with the gentleman from Virginia (Mr. GOODLATTE) and I urge its passage.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. GOODLATTE. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and pass the bill, H.R. 3408, as amended.

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

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 3408.

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

There was no objection.

SUPPORTING A NATIONAL DAY OF PRAYER AND REMEMBRANCE FOR VICTIMS OF HURRICANE KATRINA

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 240) supporting the goals and ideals of a national day of prayer and remembrance for the victims of Hurricane Katrina and encouraging all Americans to observe that day.

The Clerk read as follows:

H. CON. RES. 240

Whereas on August 25, 2005, Hurricane Katrina made landfall on the southeast tip of Florida as a Category 1 hurricane;

Whereas Hurricane Katrina moved into the Gulf of Mexico, rapidly intensifying to a Category 5 hurricane and, on August 29, 2005, made landfall on the Gulf coast as a Category 4 hurricane with 140 mile-per-hour winds, devastating communities and towns in Alabama, Mississippi, and Louisiana;

Whereas the levees protecting the city of New Orleans, Louisiana from Lake Pontchartrain failed, causing heavy flooding in the city and inflicting incredible human and material damage;

Whereas Hurricane Katrina caused the evacuation of the city of New Orleans, marking the first time a major American city has been completely evacuated;

Whereas the number of individuals killed by Hurricane Katrina is estimated to be in the hundreds;

Whereas the damage to human life and the fabric of families torn apart by Hurricane Katrina is inestimable;

Whereas Hurricane Katrina has inflicted enormous damage to homes and businesses along the Gulf Coast, with damage estimates in the hundreds of billions of dollars;

Whereas Hurricane Katrina left an estimated five million people without power,

and it may be months before all power is restored;

Whereas the States of Alabama, Mississippi, Louisiana, and Florida have received federal disaster declarations;

Whereas Hurricane Katrina ranks among the worst natural disasters in our Nation's history;

Whereas years of intense effort will be required to recover from the devastation caused by Hurricane Katrina and to rebuild the Gulf Coast;

Whereas the American people have an inherent spirit of willpower and strong resilience;

Whereas the American people have opened their hearts and their homes to the victims of Hurricane Katrina, sheltering its victims, providing food and medical assistance, and donating hundreds of millions of dollars to the relief effort;

Whereas Louisiana Governor Kathleen Blanco declared August 31, 2005, to be a day of prayer in the State of Louisiana, and asked that all Louisianans take time that day to pray for the victims of Hurricane Katrina and their rescuers; and

Whereas President George W. Bush has proclaimed September 16, 2005, to be a National Day of Prayer and Remembrance for the Victims of Hurricane Katrina: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress supports the goals and ideals of a national day of prayer and remembrance for the victims of Hurricane Katrina and encourages all Americans to observe that day.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. GINNY BROWN-WAITE) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida (Ms. GINNY BROWN-WAITE).

GENERAL LEAVE

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H. Con. Res. 240.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Florida?

There was no objection.

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in very strong support of House Concurrent Resolution 240. This resolution expresses the solidarity of the House of Representatives with the people of the Gulf Coast whose lives have been lost, uprooted, and otherwise changed forever because of Hurricane Katrina.

On August 29, Hurricane Katrina slammed into Louisiana as a Category 4 hurricane. It left almost the entire city of New Orleans under water and ravaged numerous other Gulf Coast communities. Hundreds of people were killed and millions forced to evacuate for an indefinite period of time. Katrina was one of the most destructive natural disasters that the United States has ever endured. The entire Nation has been grieving for more than 2 weeks.