

to the bill H.R. 2744, supra; which was ordered to lie on the table.

SA 1842. Mr. BROWNBACK submitted an amendment intended to be proposed by him to the bill H.R. 2744, supra; which was ordered to lie on the table.

SA 1843. Mr. BROWNBACK submitted an amendment intended to be proposed by him to the bill H.R. 2744, supra; which was ordered to lie on the table.

SA 1844. Mr. DAYTON submitted an amendment intended to be proposed by him to the bill H.R. 2744, supra.

SA 1845. Mr. DAYTON submitted an amendment intended to be proposed by him to the bill H.R. 2744, supra; which was ordered to lie on the table.

SA 1846. Mr. MARTINEZ (for himself and Mr. NELSON of Florida) submitted an amendment intended to be proposed by him to the bill H.R. 2744, supra; which was ordered to lie on the table.

SA 1847. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 2744, supra; which was ordered to lie on the table.

SA 1848. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 1790 submitted by Mrs. CLINTON (for herself, Mrs. MURRAY, and Mr. CORZINE) and intended to be proposed to the bill H.R. 2744, supra; which was ordered to lie on the table.

SA 1849. Mr. KOHL (for Mr. DODD) proposed an amendment to amendment SA 1818 submitted by Mr. DODD (for himself, Mr. HARKIN, Mr. REED, Mr. CARPER, Mr. BIDEN, and Mr. LIEBERMAN) to the bill H.R. 2744, supra.

TEXT OF AMENDMENTS

SA 1770. Mr. CRAPO submitted an amendment intended to be proposed by him to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 85, line 15, strike “\$128,072,000” and insert “\$127,072,000”.

On page 173, line 18, strike “\$2,000,000” and insert “\$3,000,000”.

On page 173, line 19, insert “, Idaho,” after “Utah”.

SA 1771. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 93, line 26, strike “\$652,231,000” and insert “\$545,500,000”.

SA 1772. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 173, after line 24, insert the following:

SEC. 7. Each amount made available for discretionary programs under the heading “COOPERATIVE STATE RESEARCH, EDUCATION, AND EXTENSION SERVICE” under the heading

“AGRICULTURAL PROGRAMS” in title I shall be reduced on a pro rata basis by 10 percent.

SA 1773. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 122, line 24, strike “\$653,102,000” and insert “\$610,754,560”.

SA 1774. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 93, line 19, strike “\$160,645,000” and insert “\$64,800,000”.

SA 1775. Mr. COBURN (for himself and Mr. ISAKSON) submitted an amendment intended to be proposed by him to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. . Any limitation, directive, or earmarking contained in either the House of Representatives or Senate report accompanying H.R. 2744 shall also be included in the conference report or joint statement accompanying H.R. 2744 in order to be considered as having been approved by both Houses of Congress.

SA 1776. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 134, line 17, strike “\$40,711,395,000” and insert “\$38,887,524,504”.

SA 1777. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 173, after line 24, insert the following:

SEC. 7. No Federal funds may be appropriated under this Act to the Department of Agriculture until the date on which a risk assessment process is initiated in accordance with the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note; Public Law 107-300) for—

(1) the school lunch program established under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.);

(2) the school breakfast program established by section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773);

(3) the special supplemental nutrition program for women, infants, and children established by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786); and

(4) the marketing assistance loan and loan deficiency payment program under subtitle B of title I of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7931 et seq.).

SA 1778. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 173, after line 24, insert the following:

SEC. 7. No Federal funds may be appropriated under this Act to the Department of Agriculture until the date on which a risk assessment process is initiated in accordance with the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note; Public Law 107-300) for—

(1) the rural rental assistance program established under section 521 of the Housing Act of 1949 (42 U.S.C. 1490a); and

(2) each program established or funded under the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7901 et seq.).

SA 1779. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 173, after line 24, insert the following:

SEC. 7. Notwithstanding any other provision of this Act, each amount provided by this Act for a discretionary program is reduced by 5 percent pro rata.

SA 1780. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 173, after line 24, insert the following:

SEC. 7. Notwithstanding any other provision of this Act, each amount provided by this Act is reduced by 5 percent pro rata.

SA 1781. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 173, after line 24, insert the following:

SEC. 7. No Federal funds may be appropriated under this Act to the Department of Agriculture until the date on which a risk assessment process is initiated in accordance with the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note; Public Law 107-300) for—

(1) the school lunch program established under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.);

(2) the school breakfast program established by section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773);

(3) the special supplemental nutrition program for women, infants, and children established by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786);

(4) the rural rental assistance program established under section 521 of the Housing Act of 1949 (42 U.S.C. 1490a); and

(5) each program established or funded under the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7901 et seq.).

SA 1782. Mr. CRAPO submitted an amendment intended to be proposed by him to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table, as follows:

On page 85, line 15, strike “\$128,072,000” and insert “\$118,072,000”.

On page 132, between lines 9 and 10, insert the following:

SEARCH GRANTS

For the SEARCH grant program established under section 6302(a) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 2009 ee-1), \$10,000,000.

SA 1783. Mr. BENNETT proposed an amendment to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 173, at the end of the page, insert the following:

“SEC. 7 _____. (a) Notwithstanding subtitles B and C of the Dairy Production Stabilization Act of 1983 (7 U.S.C. 4501 et seq.), during fiscal year 2006, the National Dairy Promotion and Research Board may obligate and expend funds for any activity to improve the environment and public health.

“(b) The Secretary of Agriculture shall review the impact of any expenditures under subsection (a) and include the review in the 2007 report of the Secretary to Congress on the dairy promotion program established under subtitle B of the Dairy Production Stabilization Act of 1983 (7 U.S.C. 4501 et seq.).”

SA 1784. Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 162, lines 1 and 2, strike “Alaska Department of Community and Economic Development” and insert “Alaska Department of Commerce, Community, and Economic Development”.

On page 162, line 2, strike “be eligible to”.

On page 162, lines 10 and 11, strike “Alaska Department of Community and Economic Development” and insert “Alaska Department of Commerce, Community, and Economic Development”.

SA 1785. Mr. MCCAIN submitted an amendment intended to be proposed by

him to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 173, after line 24, insert the following:

SEC. 7 _____. SENSE OF THE SENATE.

(a) FINDINGS.—The Senate finds the following:

(1) In a time of national catastrophe, it is the responsibility of Congress and the Executive Branch to take quick and decisive action to help those in need.

(2) The size, scope, and complexity of Hurricane Katrina are unprecedented, and the emergency response and long-term recovery efforts will be extensive and require significant resources.

(3) It is the responsibility of Congress and the Executive Branch to ensure the financial stability of the nation by being good stewards of Americans’ hard-earned tax dollars.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that any funding directive contained in this Act, or its accompanying report, that is not specifically authorized in any Federal law as of the date of enactment of this section, or Act or resolution passed by the Senate during the 1st Session of the 109th Congress prior to such date, or proposed in pursuance to an estimate submitted in accordance with law, that is for the benefit of an identifiable program, project, activity, entity, or jurisdiction and is not directly related to the impact of Hurricane Katrina, may be redirected to recovery efforts if the appropriate head of an agency or department determines, after consultation with appropriate Congressional Committees, that the funding directive is not of national significance or is not in the public interest.

SA 1786. Mr. SMITH (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 173, after line 24, insert the following:

SEC. 7 _____. With respect to the sale of the Thermo Pressed Laminates building in Klamath Falls, Oregon, the Secretary of Agriculture may allow the Klamath County Economic Development Corporation to establish a revolving economic development loan fund with the funds that otherwise would be required to be repaid to the Secretary in accordance with the rural business enterprise grant under section 310B(c)(1)(B) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(c)).

SA 1787. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, line 15, strike “\$128,072,000” and insert “\$118,072,000”.

On page 120, line 24, strike “\$90,000,000 for section 515 rental housing” and insert “\$100,000,000 for section 515 rental housing, of which \$30,000,000 shall be for new construction of rural housing units”.

On page 123, line 9, insert after “Act:” the following: “*Provided further*, That of this amount, not less than \$4,000,000 shall be available for new construction of rural housing units under section 515:”.

SA 1788. Mr. FEINGOLD (for himself and Mr. ALLARD) submitted an amendment intended to be proposed by him to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 173, after line 24, insert the following:

SEC. 7 _____. (a) Not later than 90 days after the date of enactment of this Act, the Administrator of the Animal and Plant Health Inspection Service (referred to in this section as the “Administrator”) shall publish in the Federal Register uniform methods and rules for addressing chronic wasting disease.

(b) If the Administrator does not publish the uniform methods and rules by the deadline specified in subsection (a), not later than 30 days after the deadline and every 30 days thereafter until the uniform methods and rules are published in accordance with that subsection, the Administrator shall submit to Congress a report that—

(1) describes the status of the uniform methods and rules; and

(2) provides an estimated completion date for the uniform methods and rules.

SA 1789. Mr. FEINGOLD submitted an amendment intended to be proposed by him to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 143, line 10, after “for these offices:”, insert “*Provided further*, That of the amounts appropriated for salaries and expenses for the Office of Regulatory Affairs, such sums as are necessary shall be used to study and prepare a report to Congress examining the prevalence of unsafe levels of pesticide chemical residue, as such term defined in section 201(q)(2) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(q)(2)), in ginseng and products containing ginseng, which study shall include a comparison of the pesticide chemical residue in ginseng that is known to be foreign grown with such residue in ginseng that is known to be domestically grown, the sampling and testing of retail and wholesale samples of raw ginseng and products containing ginseng for pesticide chemical residue, and a determination, if possible, of the prevalence of ginseng and ginseng-containing products that are misbranded as containing ginseng grown in the United States or in Wisconsin, and shall be designed in such a manner that the ginseng samples collected from retail and wholesale establishments for the study can be used as part of potential enforcement actions if the Commissioner of Food and Drugs determines that the level of pesticide chemical residue is unsafe:”.

SA 1790. Mrs. CLINTON (for herself, Mrs. MURRAY, and Mr. CORZINE) submitted an amendment intended to be proposed by her to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for

the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 143, line 13, strike the period and insert the following: “: *Provided further*, that, if by January 21, 2006, the Food and Drug Administration has not approved or denied the Barr Pharmaceutical application for over the counter status for the drug Plan B, \$10,000,000 of the amount provided for under this heading for the Office of the Commissioner shall not be expended until the Food and Drug Administration makes such a decision.”.

SA 1791. Ms. MURKOWSKI (for herself and Mr. STEVENS) submitted an amendment intended to be proposed by her to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 173, after line 24, insert the following:

SEC. 7. COUNTRY OF ORIGIN LABELING FOR FISH.

The Agricultural Marketing Act of 1946 (7 U.S.C. 1621 et seq.) is amended—

- (1) in section 281 (7 U.S.C. 1638)—
 - (A) in paragraph (2)(A)—
 - (i) by striking clauses (iii) and (iv); and
 - (ii) by redesignating clauses (v) and (vi) as clauses (iii) and (iv), respectively;
 - (B) by striking paragraphs (3) and (9); and
 - (C) by redesignating paragraphs (4) through (8) as paragraphs (3) through (7), respectively;
 - (2) in section 282(a) (7 U.S.C. 1638a(a))—
 - (A) in paragraph (2)—
 - (i) in subparagraph (B), by inserting “and” after the semi-colon;
 - (ii) by striking subparagraphs (C) and (D); and
 - (iii) by redesignating subparagraph (E) as subparagraph (C); and
 - (B) by striking paragraph (3);
 - (3) in section 285 (7 U.S.C. 1638d), by striking “2006” and all that follows and inserting “2006.”; and
 - (4) by adding at the end the following:

“Subtitle E—Country of Origin Labeling for Fish

“SEC. 291. DEFINITIONS.

- “In this subtitle:
- “(1) **FISH.**—
- “(A) **IN GENERAL.**—The term ‘fish’ means all fish and shellfish, including—
- “(i) fresh or frozen fillets, steaks, nuggets, and any other flesh from fish or shellfish; and
- “(ii) fish that have been canned, smoked, cured, or salted.
- “(B) **EXCLUSIONS.**—The term ‘fish’ does not include—
- “(i) seafood that has been processed; or
- “(ii) canned tuna.
- “(2) **FOOD SERVICE ESTABLISHMENT.**—The term ‘food service establishment’ means a restaurant, cafeteria, deli, lunch room, food stand, catering business, saloon, salad bar, tavern, bar, lounge, or other similar facility operated as an enterprise engaged in the business of selling food to the public.
- “(3) **METHOD OF PRODUCTION.**—
- “(A) **IN GENERAL.**—The term ‘method of production’ means whether fish is—
- “(i) farm-raised; or
- “(ii) wild.
- “(B) **DEFINITIONS.**—In this paragraph:
- “(i) **FARM-RAISED.**—The term ‘farm-raised’ means fish that are reared and harvested in an aquaculture facility (including a netpen aquaculture facility).

“(ii) **WILD.**—The term ‘wild’ means fish (whether hatched naturally or artificially) that spend the majority of their lives, and are harvested, in the wild.

“(4) **PLACE OF ORIGIN.**—The term ‘place of origin’ means—

“(A) the country from which a fish derives; or

“(B) in accordance with section 292(d)(2), the State or region from which a fish derives.

“(5) **PROCESSED.**—The term ‘processed’, with respect to a retail item derived from fish, means that the item—

“(A) has undergone specific processing, such as cooking, resulting in a change in the character of the fish; or

“(B) has been combined with at least 1 other substantive food component.

“(6) **RETAILER.**—

“(A) **IN GENERAL.**—The term ‘retailer’ means—

“(i) a retailer (as defined in section 1(b) of the Perishable Agricultural Commodities Act of 1930 (7 U.S.C. 499a(b))); or

“(ii) a business the annual sales of fish of which account for at least 50 percent of the total annual sales of the business.

“(B) **EXCLUSION.**—The term ‘retailer’ does not include any person engaged in the business of selling fish through a food service establishment, including a food service establishment operated by a retailer.

“(7) **SECRETARY.**—The term ‘Secretary’ means the Secretary of Agriculture, acting through the Agricultural Marketing Service.

“(8) **SUPPLIER.**—The term ‘supplier’ means any person engaged in the business of producing, buying, or selling fish that are ultimately offered for sale by a retailer.

“SEC. 292. NOTICE OF PLACE OF ORIGIN AND METHOD OF PRODUCTION.

“(A) **IN GENERAL.**—In accordance with regulations promulgated by the Secretary under section 294(a)—

“(1) a supplier of fish that will be sold or transferred to a consumer by a retailer shall provide to each subsequent buyer (including a retailer) a statement describing the place of origin and method of production of the fish (including repackaged or further processed fish), along with any other information required under subsection (c); and

“(2) a retailer of fish shall inform consumers of the place of origin and method of production of fish based on the information provided by the supplier under paragraph (1).

“(b) **SUPPLIER AS PURCHASER.**—A supplier that obtains fish that is not accompanied by a statement required under subsection (a)(1) shall provide such a statement to a buyer of any fish that will be sold or transferred to a consumer by a retailer.

“(c) **LABELING REQUIREMENTS.**—

“(1) **RESPONSIBILITY OF SUPPLIER.**—

“(A) **IN GENERAL.**—A statement of a supplier under subsection (a)(1) shall be prepared in accordance with this paragraph.

“(B) **CONSUMER-SIZED PACKAGES.**—With respect to fish transferred to a retailer for sale to consumers in consumer-sized packages (including cans and bags)—

“(i) the place of origin and method of production of the fish shall be indicated on the label affixed to the product by the supplier; and

“(ii) any information required under paragraph (2) that does not appear on a label under clause (i) shall be indicated on a label or labeling that is affixed to, or otherwise accompanies, the bulk container in which the consumer-sized package is shipped.

“(C) **BULK TRANSFERS.**—With respect to fish transferred to a retailer in bulk, the information required under paragraph (2) shall be indicated on a label or labeling that is affixed to, or otherwise accompanies, the bulk container.

“(2) **LABEL INFORMATION.**—The information required under paragraph (1) shall include, with respect to the fish being shipped under the label—

“(A) the common name and scientific name for the species of fish;

“(B) the place of origin of the fish, as determined under subsection (d);

“(C) the method of production of the fish;

“(D) the name, address, and telephone number of the supplier that provided the statement required under subsection (b); and

“(E) any other information that the Secretary determines to be necessary.

“(3) **LABEL AS GUARANTEE.**—For purposes of section 293(e), a label under paragraph (1) shall be considered to be a guaranty.

“(d) **PLACE OF ORIGIN.**—

“(1) **UNITED STATES COUNTRY OF ORIGIN.**—Fish may be designated as having a United States country of origin only if—

“(A) in the case of farm-raised fish, the fish are hatched, raised, harvested, and processed in the United States; and

“(B) in the case of wild fish, the fish are—

“(i) harvested in the United States, a territory of the United States, or a State, or by a vessel that is documented under chapter 121 of title 46, United States Code, or registered in the United States; and

“(ii) processed in the United States, a territory of the United States, or a State, including the waters thereof, or aboard a vessel that is documented under chapter 121 of title 46, United States Code, or registered in the United States.

“(2) **STATE OR REGION OF ORIGIN.**—Fish that meet the requirements of paragraph (1) for United States country of origin designation may be identified by the State or region of origin in lieu of the country of origin, under such regulations as the Secretary may promulgate.

“(3) **NON-UNITED STATES COUNTRY OF ORIGIN.**—Fish that do not meet the requirements of paragraph (1) for United States country of origin designation shall be designated as originating in the country—

“(A) in the waters of which the fish were caught; or

“(B) if the national designation of the waters is unknown or if the waters are designated as international, in which the vessel that caught the fish was flagged.

“(4) **ORIGIN OF COMMINGLED FISH.**—Fish that are derived from 2 or more countries shall be designated as having originated in each source country, listed alphabetically, without regard to proportional quantities of fish from each country.

“(e) **METHOD OF NOTIFICATION.**—

“(1) **IN GENERAL.**—The information required under subsection (a)(2) may be provided to consumers by means of a label, stamp, mark, placard, or other conspicuous, clear, and visible sign on the package, display, holding unit, or bin containing the fish.

“(2) **LABELED BY SUPPLIER.**—

“(A) **IN GENERAL.**—If the fish are individually labeled for retail sale by the supplier in a manner that meets the requirements of paragraph (1), the retailer shall not be required to provide any additional information to comply with this section.

“(B) **GUARANTY.**—A statement of the place of origin and method of production that appears on a label described in subparagraph (A) shall be considered to be a supplier guaranty of the place of origin and method of production of the fish.

“(f) **AUDIT VERIFICATION SYSTEM.**—

“(1) **IN GENERAL.**—To the maximum extent practicable, the Secretary shall permit existing records to be used to substantiate the place of origin and method of production of the fish.

“(2) MANDATORY IDENTIFICATION.—The Secretary shall not use a mandatory identification system, including a lot code tracking system, to track or verify the place of origin or method of production of fish.

“(3) SUPPLIER RECORDS.—

“(A) IN GENERAL.—A supplier that provides a statement under subsection (b) shall keep records to document the place of origin and method of production of the fish for such a period as the Secretary determines to be reasonable to ensure that the records will be available until the fish is sold or otherwise transferred to a consumer.

“(B) OTHER SUPPLIERS.—A supplier that is not responsible for providing a statement under subsection (b) shall keep records sufficient to identify the previous supplier of the fish.

“(4) RETAILER RECORDS.—A retailer shall retain any label or labeling received under subsection (c) until the fish that is the subject of the label is sold or otherwise transferred to a consumer.

“(5) GUARANTY.—A guaranty provided in accordance with section 293(e) that is received from the immediate supplier of a retailer or a supplier shall be a record sufficient to document the place of origin and method of production of fish.

“SEC. 293. ENFORCEMENT.

“(a) WARNINGS.—If the Secretary determines that a supplier or retailer is in violation of section 292, the Secretary shall—

“(1) notify the supplier or retailer of the determination of the Secretary; and

“(2) provide the supplier or retailer a 30-day period, beginning on the date on which notice is received under paragraph (1) from the Secretary, during which the supplier or retailer may take necessary steps to comply with section 292.

“(b) FINES.—If, on completion of the 30-day period described in subsection (a)(2), the Secretary determines that the retailer or supplier has knowingly and willfully violated section 292, after providing notice and an opportunity for a hearing before the Secretary with respect to the violation, the Secretary may fine the supplier or retailer in an amount of not more than \$1,000 for each violation.

“(c) MEMORANDUM OF AGREEMENT.—

“(1) IN GENERAL.—The Secretary may execute a memorandum of agreement with any appropriate State agency, as determined by the Secretary, to assist in the administration of this subtitle.

“(2) PROCEDURES.—A memorandum of agreement under paragraph (1) shall describe any procedure a State agency shall follow to assist in the administration of this subtitle.

“(3) ENFORCEMENT ACTIONS.—Notwithstanding paragraphs (1) and (2), only the Secretary may bring an enforcement action under this subtitle.

“(d) NO OTHER LAWS.—A violation of this subtitle shall not be considered to be a violation of any other Federal law, including the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.) and the Federal Trade Commission Act (15 U.S.C. 41 et seq.).

“(e) GUARANTY.—

“(1) IN GENERAL.—A retailer or supplier shall not be in violation of, or subject to penalties under, this subtitle if the retailer or supplier provides a guaranty of the place of origin and method of production of the fish that is signed by and contains the name and address of the person from which the retailer or supplier received the fish.

“(2) FALSE GUARANTY.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), the provision of a guaranty that is false shall be a violation of this subtitle.

“(B) RELIANCE.—The provision of a false guaranty shall not be a violation if the re-

tailer or supplier providing the false guaranty relied upon a guaranty to the same effect signed by and containing the name and address of the person from which the retailer or supplier received the fish.

“(f) KNOWLEDGE OF VIOLATION REQUIRED.—No person shall be held liable for a violation of this subtitle by reason of the conduct of another if the person did not have actual knowledge of the violation.

“SEC. 294. IMPLEMENTATION.

“(a) REGULATIONS.—Not later than April 1, 2006, the Secretary shall promulgate such regulations as are necessary to implement this subtitle.

“(b) PREEMPTION.—This subtitle preempts any State labeling requirement that requires a supplier or retailer to provide place of origin or method of production information for fish.

“(c) EFFECTIVE DATE.—Regulations promulgated under subsection (a) take effect on the date that is 180 days after the date of promulgation of the regulations.”.

SA 1792. Mr. CRAIG (for himself and Mr. CRAPO) submitted an amendment intended to be proposed by him to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 173, after line 24, insert the following:

SEC. 7 _____. Section 1231(f)(1) of the Food Security Act of 1985 (16 U.S.C. 3831(f)(1)) is amended by inserting “the Eastern Snake Plain Aquifer (Idaho),” after “Long Island Sound Region,”.

SA 1793. Mr. BINGAMAN (for himself and Mr. LUGAR) submitted an amendment intended to be proposed by him to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, line 15, strike “\$128,072,000” and insert “\$118,072,000”.

On page 132, line 24, strike “\$12,412,027,000” and insert “\$12,422,027,000”.

On page 132, line 26, strike “\$7,224,406,000” and insert “\$7,234,406,000”.

On page 133, line 6, before the period, insert the following: “: *Provided further*, That not less than \$20,025,000 shall be available to implement and administer Team Nutrition programs of the Department of Agriculture”.

SA 1794. Mr. INOUE submitted an amendment intended to be proposed by him to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, line 15, strike “\$128,072,000” and insert “\$127,822,000”.

On page 112, line 11, strike “\$819,561,000” and insert “\$819,811,000”.

On page 113, line 7, before the period at the end, insert the following: “: *Provided further*, That not less than \$250,000 shall be used for sustainable agriculture development and resource conservation projects in the Native Hawaiian community of Molokai”.

SA 1795. Mr. JEFFORDS submitted an amendment intended to be proposed by him to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, line 15, strike “\$128,072,000” and insert “\$128,022,000”.

On page 112, line 11, strike “\$819,561,000” and insert “\$819,611,000”.

On page 113, line 7, before the period at the end, insert the following: “: *Provided further*, That not to exceed \$50,000 is available for the upgrade of the dairy farm manure management system at Vermont Technical College in Randolph, Vermont”.

SA 1796. Mr. JEFFORDS submitted an amendment intended to be proposed by him to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 85, line 15, strike “\$128,072,000” and insert “\$126,072,000”.

On page 126, between lines 3 and 4, insert the following:

HISTORIC BARN PRESERVATION PROGRAM

For the historic barn preservation program established under section 379A of the Consolidated Farm and Rural Development Act (7 U.S.C. 2008o), \$2,000,000.

SA 1797. Mr. BINGAMAN (for himself, Mr. LUGAR, Ms. MURKOWSKI, and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 85, line 15, strike “\$128,072,000” and insert “\$118,072,000”.

On page 132, line 24, strike “\$12,412,027,000” and insert “\$12,422,027,000”.

On page 132, line 26, strike “\$7,224,406,000” and insert “\$7,234,406,000”.

On page 133, line 6, before the period, insert the following: “: *Provided further*, That not less than \$20,025,000 shall be available to implement and administer Team Nutrition programs of the Department of Agriculture”.

SA 1798. Mr. CONRAD submitted an amendment intended to be proposed by him to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, line 15, strike “\$128,072,000” and insert “\$125,072,000”.

On page 173, after line 24, add the following:

SEC. 7 _____. INUNDATED CROP AND GRAZING LAND.

(a) IN GENERAL.—The Secretary of Agriculture shall compensate owners of crop and grazing land that meets the requirements under subsection (b) in—

(1) the Devils Lake basin; and
(2) the McHugh, Lake Laretta, and Rose Lake closed drainage areas of the State of North Dakota.

(b) ELIGIBILITY.—

(1) IN GENERAL.—To be eligible to receive compensation under this section, an owner shall own land described in subsection (a) that, during the 2 crop years preceding receipt of compensation, was rendered incapable of use for the production of an agricultural commodity or for grazing purposes (in a manner consistent with the historical use of the land) as the result of the natural overflow of the closed basins described in subsection (a), as determined by the Secretary.

(2) INCLUSIONS.—Land described in paragraph (1) shall include—

(A) land that has been inundated;

(B) land that has been rendered inaccessible due to the overflow of the closed basins; and

(C) a reasonable buffer strip adjoining the land, as determined by the Secretary.

(3) ADMINISTRATION.—The Secretary may establish—

(A) reasonable minimum acreage levels for individual parcels of land for which owners may receive compensation under this section; and

(B) the location and area of adjoining land for which owners may receive compensation under this section.

(c) SIGN-UP.—Not later than 120 days after the date of enactment of this Act, the Secretary shall carry out a sign-up program for eligible owners to apply for compensation from the Secretary under this section.

(d) COMPENSATION PAYMENTS.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3), the rate of an annual compensation payment under this section shall be equal to 90 percent of the average annual per acre rental payment rate (at the time of entry into the contract) for comparable crop or grazing land that has remained in production in the county where the land is located, as determined by the Secretary.

(2) REDUCTION.—An annual compensation payment under this section shall be reduced by the amount of any conservation program rental payments or Federal agricultural commodity program payments received by the owner for the land during any crop year for which compensation is received under this section.

(3) EXCLUSION.—During any year in which an owner receives compensation for inundated land under this section, the owner shall not be eligible to participate in or receive benefits for the land under—

(A) the Federal crop insurance program established under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.);

(B) the noninsured crop assistance program established under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333); or

(C) any Federal agricultural crop disaster assistance program.

(e) RELATIONSHIP TO AGRICULTURAL COMMODITY PROGRAMS.—The Secretary, by regulation, shall provide for the preservation of cropland base, allotment history, and payment yields applicable to land described in subsection (a) that was rendered incapable of use for the production of an agricultural commodity or for grazing purposes.

(f) USE OF LAND.—

(1) IN GENERAL.—An owner that receives compensation under this section shall take such actions as are necessary to not degrade any wildlife habitat that has naturally developed on the land.

(2) RECREATIONAL ACTIVITIES.—To encourage owners that receive compensation under this section to allow public access to and use of the land for recreational activities, as determined by the Secretary, the Secretary may—

(A) offer an eligible owner additional compensation; and

(B) provide compensation for additional acreage under this section.

(g) FUNDING.—

(1) IN GENERAL.—There is appropriated, out of any money in the Treasury not otherwise appropriated, to carry out this section \$3,000,000 for fiscal year 2006, to remain available until expended.

(2) PRO-RATED PAYMENTS.—In a case in which the amount made available under paragraph (1) for a fiscal year is insufficient to compensate all eligible owners under this section, the Secretary shall pro-rate payments for that fiscal year on a per acre basis.

(3) PAYMENT DATES.—

(A) IN GENERAL.—Not later than June 30, 2006, the Secretary shall make payments to eligible owners in an amount equal to 50 percent of the total annual payment amount for fiscal year 2006 as calculated under subsection (d).

(B) REMAINING PAYMENT.—During the period beginning on October 1, 2006, and ending on October 15, 2006, the Secretary shall make the remaining payments to eligible owners in an amount equal to 50 percent of the total annual payment amount for fiscal year 2006 as calculated under subsection (d).

SA 1799. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 173, after line 24, insert the following:

SEC. 7 _____. It is the sense of the Senate that—

(1) agricultural producers throughout the United States are exploring new direct marketing opportunities to improve farm income;

(2) the Farmers' Market Promotion Program established under section 6 of the Farmer-to-Consumer Direct Marketing Act of 1976 (7 U.S.C. 3005) funds competitive grants to local governments, chambers of commerce, farmers' market alliances, co-ops, and economic development organizations to aid in the development of new farmers' markets, community-supported agricultural enterprises, and other direct producer-to-consumer marketing initiatives; and

(3) the Senate should support funding for the Farmers' Market Promotion Program at a level equal to or greater than that contained in the House committee report.

SA 1800. Mr. BAUCUS submitted an amendment intended to be proposed by him to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 173, after line 24, insert the following:

SEC. 7 _____.(a) The Senate finds the following:

(1) Research and development have been critical components of the prosperity of the United States.

(2) The United States is entering an increasingly competitive world in the 21st century.

(3) The National Academy of Sciences has found that public agricultural research and development expenditures in the United States were the lowest of any developed country in the world.

(4) The Nation needs to ensure that public spending for agricultural research is commensurate with the importance of agriculture to the long-term economic health of the Nation.

(5) Research and development is critical to ensuring that American agriculture remains strong and vital in the coming decades.

(b) It is the sense of the Senate that, in order for the United States to remain competitive, the President and the Department of Agriculture should increase public sector funding of agricultural research and development.

SA 1801. Mr. DORGAN submitted an amendment intended to be proposed by him to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, line 15, strike "\$128,072,000" and insert "\$127,972,000".

On page 93, line 26, strike "\$652,231,000" and insert "\$652,331,000".

On page 94, line 9, strike "\$110,281,000" and insert "\$110,381,000, of which, an additional \$100,000 shall be made available for the Center for Agricultural and Trade Policies at North Dakota State University".

SA 1802. Mr. BAUCUS submitted an amendment intended to be proposed by him to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 173, after line 24, add the following:

SEC. _____. EMERGENCY NUTRITIONAL SUPPLEMENTAL ASSISTANCE.

(a) DEFINITION OF ELIGIBLE RECIPIENT.—In this section, the term "eligible recipient" means an individual or household that, as determined by the Secretary of Agriculture, in consultation with the Secretary of Homeland Security—

(1) is a victim of Hurricane Katrina or a related condition;

(2) has been displaced by Hurricane Katrina or a related condition; or

(3) is temporarily housing 1 or more individuals displaced by Hurricane Katrina or a related condition.

(b) ASSISTANCE.—

(1) IN GENERAL.—Notwithstanding any other provision of law, in addition to funds otherwise made available for fiscal year 2005 or 2006 to carry out the emergency food assistance program established under the Emergency Food Assistance Act of 1983 (7 U.S.C. 7501 et seq.), out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary of Agriculture, to remain available until expended—

(A) \$200,000,000 to carry out that program;

(B) \$51,000,000 to make grants to the several States and the Commonwealth of Puerto Rico under that program in accordance with paragraph (2); and

(C) \$200,000,000 to provide a variety of food to eligible recipient agencies for providing food assistance to eligible recipients, including—

(i) special supplemental foods for pregnant women and infants or for other individuals with special needs;

(ii) infant formula;

(iii) bottled water; and
(iv) fruit juices.

(2) AMOUNT OF GRANTS.—Funds made available under paragraph (1)(B) shall be used to provide grants in the amount of—

(A) \$1,000,000 to each of the several States; and

(B) \$500,000 to each of the Commonwealth of Puerto Rico and the District of Columbia.

(3) USE OF FUNDS.—Funds made available under paragraph (1)(C) may be used to provide commodities in accordance with—

(A) section 27 of the Food Stamp Act of 1977 (7 U.S.C. 2036);

(B) section 203A of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7504); and

(C) section 204 of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7508).

(4) RECEIPT AND ACCEPTANCE.—The Secretary shall be entitled to receive, shall accept, and shall use to carry out this section the funds transferred under paragraph (1), without further appropriation.

(5) EMERGENCY DESIGNATION.—The amounts made available by the transfer of funds in or pursuant to this section are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress).

SA 1803. Mr. BENNETT proposed an amendment to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

At the appropriate place in the bill, insert the following new paragraph:

“SEC. . Section 274(a)(1) of the Immigration and Nationality Act (8 U.S.C. 1324(a)(1)) is amended by adding at the end the following: “(C) It is not violation of clauses (ii) or (iii) of subparagraph (A), or of clause (iv) of subparagraph (A) except where a person encourages or induces an alien to come to or enter the United States, for a religious denomination having a bona fide nonprofit, religious organization in the United States, or the agents or officers of such denomination or organization, to encourage, invite, call, allow, or enable an alien who is present in the United States to perform the vocation of a minister or missionary for the denomination or organization in the United States as a volunteer who is not compensated as an employee, notwithstanding the provision of room, board, travel, medical assistance, and other basic living expenses, provided the minister or missionary has been a member of the denomination for at least one year.”

SA 1804. Mr. BENNETT proposed an amendment to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 170 strike Section 767 and replace it with the following new paragraph:

“SEC. . Notwithstanding any other provision of law, none of the funds provided for in this or any other Act may be used in this and each fiscal year hereafter for the review, clearance, or approval for sale in the United States of any contact lens unless the manufacturer certifies that it makes any contact lens it produces, markets, distributes, or sells available in a commercially reasonable and non-discriminatory manner directly to and generally within all alternative channels of distribution: *Provided*, That for the purposes of this section, the term ‘manufacturer’ includes the manufacturer and its parents, subsidiaries, affiliates, successors and assigns, and ‘alternative channels of dis-

tribution’ means any mail order company, Internet retailer, pharmacy, buying club, department store, mass merchandise outlet or other appropriate distribution alternative without regard to whether it is associated with a prescriber: *Provided further*, That nothing in this section shall be interpreted as waiving any obligation of a seller under 15 USC 7603: *Provided further*, That to facilitate compliance with this section, 15 USC 7605 is amended by inserting after the period: “A manufacturer shall make any contact lens it produces, markets, distributes or sells available in a commercially reasonable and non-discriminatory manner directly to and generally within all alternative channels of distribution; provided that, for the purposes of this section, the term ‘alternative channels of distribution’ means any mail order company, Internet retailer, pharmacy, buying club, department store, mass merchandise outlet or other appropriate distribution alternative without regard to whether it is associated with a prescriber; the term ‘manufacturer’ includes the manufacturer and its parents, subsidiaries, affiliates, successors and assigns; and any rule prescribed under this section shall take effect not later than 60 days after the date of enactment.”

SA 1805. Mr. BENNETT proposed an amendment to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

At the appropriate place in the bill, insert the following new paragraph:

“SEC. . The federal facility located at the South Mississippi Branch Experiment Station in Poplarville, Mississippi, and known as the “Southern Horticultural Laboratory”, shall be known and designated as the “Thad Cochran Southern Horticultural Laboratory”: *Provided*, That any reference in law, map, regulation, document, paper, or other record of the United States to such federal facility shall be deemed to be a reference to the “Thad Cochran Southern Horticultural Laboratory”.

SA 1806. Mr. BENNETT (for Mr. KYL) proposed an amendment to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 173, after line 24, insert the following:

SEC. 7 _____. As soon as practicable after the Agricultural Research Service operations at the Western Cotton Research Laboratory located at 4135 East Broadway Road in Phoenix, Arizona, have ceased, the Secretary of Agriculture may convey, without consideration, to the Arizona Cotton Growers Association and Supima all right, title, and interest of the United States in and to the real property at that location, including improvements.

SA 1807. Mr. BENNETT (for Mr. LEAHY) proposed an amendment to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 173, after line 24, insert the following:

SEC. 7 _____. The Secretary of Agriculture shall—

(1) as soon as practicable after the date of enactment of this Act, conduct an evaluation of any impacts of the court decision in *Harvey v. Veneman*, 396 F.3d 28 (1st Cir. Me. 2005); and

(2) not later than 90 days after the date of enactment of this Act, submit to Congress a report that—

(A) describes the results of the evaluation conducted under paragraph (1);

(B) includes a determination by the Secretary on whether restoring the National Organic Program, as in effect on the day before the date of the court decision described in paragraph (1), would adversely affect organic farmers, organic food processors, and consumers;

(C) analyzes issues regarding the use of synthetic ingredients in processing and handling;

(D) analyzes the utility of expedited petitions for commercially unavailable agricultural commodities and products; and

(E) considers the use of crops and forage from land included in the organic system plan of dairy farms that are in the third year of organic management.

SA 1808. Mr. BENNETT (for Mr. FEINGOLD (for himself and Mr. ALLARD) proposed an amendment to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 173, after line 24, insert the following:

SEC. 7 _____.(a) Not later than 90 days after the date of enactment of this Act, the Administrator of the Animal and Plant Health Inspection Service (referred to in this section as the “Administrator”) shall publish in the Federal Register uniform methods and rules for addressing chronic wasting disease.

(b) If the Administrator does not publish the uniform methods and rules by the deadline specified in subsection (a), not later than 30 days after the deadline and every 30 days thereafter until the uniform methods and rules are published in accordance with that subsection, the Administrator shall submit to Congress a report that—

(1) describes the status of the uniform methods and rules; and

(2) provides an estimated completion date for the uniform methods and rules.

SA 1809. Mr. BENNETT (for Mr. MCCONNELL) proposed an amendment to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 173, after line 24, insert the following:

SEC. 7 _____.(a) In carrying out a livestock assistance, compensation, or feed program, the Secretary of Agriculture shall include horses within the definition of “livestock” covered by the program.

(b)(1) Section 602(2) of the Agricultural Act of 1949 (7 U.S.C. 1471(2)) is amended—

(A) by inserting “horses”, after “bison”; and

(B) by striking “equine animals used for food or in the production of food.”.

(2) 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) is amended by inserting "(including losses to elk, reindeer, bison, and horses)" after "livestock losses".

(3) Section 10104(a) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1472(a)) is amended by striking "and bison" and inserting "bison, and horses".

(4) Section 203(d)(2) of the Agricultural Assistance Act of 2003 (Public Law 108-7; 117 Stat. 541) is amended by striking "and bison" and inserting "bison, and horses".

(c)(1) This section and the amendments made by this section apply to losses resulting from a disaster that occurs on or after July 28, 2005.

(2) This section and the amendments made by this section do not apply to losses resulting from a disaster that occurred before July 28, 2005.

SA 1810. Mr. BROWNBACK submitted an amendment intended to be proposed by him to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 173, after line 24, insert the following:

SEC. 7 _____. Notwithstanding any other provision of this Act, none of the funds appropriated or otherwise made available under this Act may be used to carry out activities of the Oncologic Drugs Advisory Committee of the Food and Drug Administration whose committee membership consists of less than 2 patient representatives who are voting members of the committee.

SA 1811. Mr. BROWNBACK submitted an amendment intended to be proposed by him to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 173, after line 24, insert the following:

SEC. 7 _____. Notwithstanding any other provision of this Act, none of the funds appropriated or otherwise made available under this Act may be used to carry out activities, including the review or approval of clinical trial protocols or special protocol assessments that would permit placebo-only or no-treatment-only concurrent controls, in any clinical investigation conducted with respect to any serious or life-threatening condition or disease, where reasonably effective alternative therapies that have been approved or cleared by the Secretary of Health and Human Services for the specific indications under investigation exist.

SA 1812. Mr. REID submitted an amendment intended to be proposed by him to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. _____. Amounts made available for the Plant Materials Center in Fallon, Nevada, under the heading "CONSERVATION OPERATIONS" under the heading "NATURAL RESOURCES CONSERVATION SERVICE" of title II of

the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2005 (Public Law 108-447; 118 Stat. 2823) shall remain available until expended.

SA 1813. Mr. REID submitted an amendment intended to be proposed by him to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. Amounts made available for the Plant Materials Center in Fallon, Nevada, under the heading "CONSERVATION OPERATIONS" under the heading "NATURAL RESOURCES CONSERVATION SERVICE" of title II of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2005 (Public Law 108-447; 118 Stat. 2823) shall remain available until July 31, 2007.

SA 1814. Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. **BOTTLED DRINKING WATER STANDARDS.**

Section 410 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 349) is amended by adding at the end the following:

"(c) OUT-OF STATE REGISTRATION OR LICENSING REQUIREMENTS.—

"(1) IN GENERAL.—A bottled water product that is manufactured or processed outside the State into which it is sold shall be deemed to meet any and all of the registration or licensing requirements of the State into which it is sold so long as the following requirements are complied with:

"(A) The company that manufactures, processes, or distributes the bottled water product, upon written request, makes available to any appropriate State agency in the State into which the bottled water is sold, a copy of any license or permit from the agency having jurisdiction in the State or country where the bottled water production facility is located, or in lieu of such registration, a statement certifying that the product meets all bottled water requirements, including bottled drinking water quality and safety standards, of the State or country of origin and any applicable regulations of the Food and Drug Administration, and a copy of the annual finished product water quality testing results demonstrating compliance with section 165.110(b) of title 21, Code of Federal Regulations.

"(B) The company that manufactures, processes, or distributes the bottled water product complies with the bottled drinking water quality and safety standards of the State into which it is sold.

"(C) The company that manufactures, processes, or distributes the bottled water product maintains legally required food and bottled water records, and remains subject to on-site inspections of its facilities by the State of origin, the State into which the bottled water product is sold, and the Food and Drug Administration.

"(D) The company that manufactures, processes, or distributes the bottled water product pays all applicable State fees related to the sale and distribution of the product imposed by the State into which the product is sold.

"(2) LIMITATION.—No State or political subdivision of a State may directly or indirectly establish or continue in effect, any requirement that conflicts with or interferes with the requirements of paragraph (1)."

SA 1815. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 173, after line 24, insert the following:

SEC. 7 _____. Notwithstanding any other provision of this Act, each amount provided by this Act is reduced by the pro rata percentage required to reduce the total amount provided by this Act by \$1,103,000,000.

SA 1816. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 173, after line 24, insert the following:

SEC. 7 _____. Notwithstanding any other provision of law, beginning in fiscal year 2006 and thereafter, individuals employed in 400 series personnel classification positions at the Natural Resources Conservation Service as of March 30, 2005, shall be considered to be eligible for continued employment in 400 series personnel classification positions within the Natural Resources Conservation Service.

SA 1817. Mr. BROWNBACK submitted an amendment intended to be proposed by him to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 143, line 10, after the colon, insert the following:

"Provided further, That of the funds provided herein for other activities, \$5,853,000 may not be obligated until the Commissioner or Acting Commissioner has presented public testimony before the Senate Committee on Appropriations on the President's 2006 budget request and the date on which the Food and Drug Administration submitted its official written response to the Citizen Petition and Request for Administrative Stay, Docket No. 02P-0377 of the Food and Drug Administration."

SA 1818. Mr. DODD (for himself, Mr. HARKIN, Mr. REED, Mr. CARPER, Mr. BIDEN, and Mr. LIEBERMAN) submitted an amendment intended to be proposed by him to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 173, after line 24, insert the following:

SEC. 7 _____. (a) Congress makes the following findings:

(1) Consumers need clear and consistent information about the risks associated with exposure to the sun, and the protection offered by over-the-counter sunscreen products.

(2) The Food and Drug Administration (referred to in this section as the "FDA") began developing a monograph for over-the-counter sunscreen products in 1978.

(3) In 2002, after 23 years, the FDA issued the final monograph for such sunscreen products.

(4) One of the most critical aspects of sunscreen is how to measure protection against UVA rays, which cause skin cancer.

(5) The final sunscreen monograph failed to address this critical aspect and, accordingly, the monograph was stayed shortly after being issued until issuance of a comprehensive monograph.

(6) Skin cancer rates continue to rise, especially in younger adults and women.

(7) Pursuant to section 751 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379r), a Federal rule on sunscreen labeling would preempt any related State labeling requirements.

(8) The absence of a Federal rule could lead to a patchwork of State labeling requirements that would be confusing to consumers and unnecessarily burdensome to manufacturers.

(b) Not later than one year after the date of enactment of this Act, the FDA shall issue a comprehensive final monograph for over-the-counter sunscreen products, which shall include UVA and UVB labeling requirements.

SA 1819. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 173, after line 24, insert the following:

SEC. 7 _____. Not later than 30 days after the date of enactment of this Act, the Secretary of Agriculture shall issue a rule that makes final the proposed rule published in the Federal Register on March 18, 2003 (68 Fed. Reg. 12881; relating to terminating the definition of "substantial activity" in the Hass Avocado Promotion, Research, and Information Order).

SA 1820. Mr. BROWNBACK submitted an amendment intended to be proposed by him to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On pg. 143, line 10, after the colon, insert the following:

"Provided further, That of the funds provided herein for other activities, \$5,853,000 may not be obligated until the Commissioner or Acting Commissioner has presented public testimony before the Senate Committee on Appropriations on the date on which the Food and Drug Administration submitted its official written response to the Citizen Petition and Request for Administrative Stay, Docket No. 02P-0377 of the Food and Drug Administration."

SA 1821. Mr. BURNS submitted an amendment intended to be proposed by him to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 107, line 3, before the period, insert the following: "": *Provided further*, That the Secretary of Agriculture, acting through the National Tribal Development Association, shall use not less than \$1,500,000 of the amount made available under this heading to carry out the American Indian credit outreach initiative".

SA 1822. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

Sec. (a) Notwithstanding the termination of authority provided in section 1307(a)(6) of Public Law 107-171, the Secretary shall use this authority for the 2007 crop.

(b) The authority provided by section 1307(a)(6) of Public Law 107-171 shall terminate beginning with the 2008 crop and shall be considered to have terminated notwithstanding section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 907).

SA 1823. Mr. THOMAS submitted an amendment intended to be proposed by him to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 120, line 2, strike "\$164,773,000" and insert "\$164,423,000".

On page 120, line 24, strike "\$90,000,000" and insert "\$89,500,000".

On page 128, line 1, strike "\$500,000" and insert "\$350,000".

On page 129, line 7, strike "\$23,000,000" and insert "\$22,500,000".

On page 132, between lines 9 and 10, insert the following:

NATIONAL RURAL DEVELOPMENT PARTNERSHIP

For the National Rural Development Partnership authorized under section 378 of the Consolidated Farm and Rural Development Act (7 U.S.C. 2008m) to provide technical assistance and programmatic guidance for rural development at the State and local levels and to provide financial assistance to the 37 federally recognized State Rural Development Councils, \$1,500,000.

SA 1824. Ms. STABENOW (for herself, Mr. LEVIN, Mr. DEWINE, and Mr. VOINOVICH) submitted an amendment intended to be proposed by her to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, line 15, strike "\$128,072,000" and insert "\$123,572,000".

On page 100, line 1, strike "\$807,768,000" and insert "\$812,268,000".

On page 100, line 9, before the colon insert the following: "": of which not less than \$10,440,000 shall be used for the eradication of the emerald ash borer in the States of Michigan, Ohio, and Indiana".

SA 1825. Ms. STABENOW (for herself, Mr. LEVIN, Mr. DEWINE, and Mr. VOINOVICH) submitted an amendment intended to be proposed by her to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, line 15, strike "\$128,072,000" and insert "\$123,572,000".

On page 100, line 1, strike "\$807,768,000" and insert "\$815,807,000".

On page 100, line 9, before the colon insert the following: "": of which not less than \$14,000,000 shall be used for the eradication of the emerald ash borer in the States of Michigan, Ohio, and Indiana".

SA 1826. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On Page 173, after line 24, insert the following:

SEC. 7 _____. None of the funds appropriated or otherwise made available by this Act for the Food and Drug Administration may be used under Section 801 of the Federal Food, Drug, and Cosmetic Act to allow the importation of a prescription drug that does not comply with sections 501, 502, and 505 of such Act from a communist country (as defined in section 406(e)(1) of the Trade Act of 1974 (19 U.S.C. 2436)), a socialist country or a country with a system of socialized healthcare, or a country that supports terrorism as determined by the Secretary of State under section 6(j)(1)(A) of the Export Administration Act of 1979.

SA 1827. Mr. DOMENICI (for himself, Mr. BINGAMAN, Mr. CRAIG, Mr. CRAPO, and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 173, after line 24, insert the following:

SEC. 7 _____. Section 1502(d)(2) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7982(d)(2)) is amended by striking "2,400,000 pounds" and inserting "800,000 pounds".

SA 1828. Mr. DOMENICI (for himself, Mr. BINGAMAN, Mr. CRAIG, Mr. CRAPO, and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal

year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 173, after line 24, insert the following:

SEC. 7. Section 1502(d)(2) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7982(d)(2)) is amended by striking “2,400,000 pounds” and inserting “700,000 pounds”.

SA 1829. Mr. DOMENICI (for himself, Mr. BINGAMAN, Mr. CRAIG, Mr. CRAPO, and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 173, after line 24, insert the following:

SEC. 7. Section 1502(d)(2) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7982(d)(2)) is amended by striking “2,400,000 pounds” and inserting “600,000 pounds”.

SA 1830. Mr. DOMENICI (for himself, Mr. BINGAMAN, Mr. CRAIG, Mr. CRAPO, and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 173, after line 24, insert the following:

SEC. 7. Section 1502(d)(2) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7982(d)(2)) is amended by striking “2,400,000 pounds” and inserting “500,000 pounds”.

SA 1831. Mr. DOMENICI (for himself, Mr. BINGAMAN, Mr. CRAIG, Mr. CRAPO, and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 173, after line 24, insert the following:

SEC. 7. Section 1502(d) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7982(d)) is amended—

- (1) by striking paragraph (2); and
- (2) by redesignating paragraph (3) as paragraph (2).

SA 1832. Mr. BURNS (for himself, Mr. GRASSLEY, Mr. ROBERTS, and Mr. THUNE) submitted an amendment intended to be proposed by him to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 173, after line 24, insert the following:

SEC. 7. Notwithstanding any other provision of this Act, none of the funds made available by this Act or any other Act shall be used to pay salaries and expenses and other costs associated with implementing or administering section 508(e)(3) of the Federal Crop Insurance Act (7 U.S.C. 1508(e)(3)) (except with respect to policies under that section in effect as of the date of enactment of this Act).

SA 1833. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, line 15, strike “\$128,072,000” and insert “\$93,320,000”.

On page 100, line 1, strike “\$807,768,000” and insert “\$842,520,000”.

On page 173, after line 24, insert the following:

SEC. 7. None of the funds made available under this Act may be used for treatment of wood, wood products, or wood packing material with methyl bromide.

SA 1834. Mr. SALAZAR submitted an amendment intended to be proposed by him to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 173, after line 24, insert the following:

SEC. 7. Not later than 180 days after the date of enactment of this Act, the Secretary of Agriculture, in coordination with the Secretary of Energy, shall submit to Congress and make available to the public on the Internet a report that shall—

- (1) include a current, consolidated list and explanation of opportunities to develop renewable energy in rural America under programs administered by the Department of Agriculture and the Department of Energy;
- (2) serve as an aid to develop renewable energy and renewable fuels in rural and agricultural communities, including information on grants, loan guarantees, tax deductions, and tax credits; and
- (3) be updated at least annually.

SA 1835. Mr. HARKIN submitted an amendment intended to be proposed by him to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 160, line 10, before the period at the end insert the following: “or for reimbursement of administrative costs under section 16(a) of the Food Stamp Act of 1977 (7 U.S.C. 2025(a)) to a State agency for which more than 10 percent of the costs (other than costs for issuance of benefits or nutrition education) are obtained under contract”.

SA 1836. Mr. HARKIN submitted an amendment intended to be proposed by him to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fis-

cal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, line 15, strike “\$128,072,000” and insert “\$123,072,000”.

On page 99, line 10, strike “\$5,888,000” and insert “\$10,888,000”.

SA 1837. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 132, strike line 4 and insert the following: “1974: *Provided further*, That communities with populations of not more than 40,000 shall be eligible to apply for loans under the broadband loan program.”.

SA 1838. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, line 15, strike “\$128,072,000” and insert “\$93,320,000”.

On page 100, line 1, strike “\$807,768,000” and insert “\$842,520,000”.

On page 173, after line 24, insert the following:

SEC. 7. The Comptroller General of the United States shall—

- (1) conduct a study on—
 - (A) the efficacy of methyl bromide for treatment of invasive insects and plants;
 - (B) any negative environmental and health effects methyl bromide may have on humans and animals; and
 - (C) other practicable methods that exist to prevent invasive insects from entering areas under the jurisdiction of the United States; and
- (2) not later than 180 days after the date of enactment of this Act, submit to Congress a report describing the results of the study.

SA 1839. Mr. HAGEL submitted an amendment intended to be proposed by him to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 173, after line 24, insert the following:

SEC. 7. (a) There is appropriated \$200,000 to the Institute of Agriculture and Natural Resources of the University of Nebraska-Lincoln, for use in accordance with subsection (b).

(b)(1) Amounts made available under subsection (a) shall be used only for—

(A) start-up costs for the 4-year hospitality, restaurant, and tourism management baccalaureate degree program of the Institute; and

(B) the design and implementation of course preparation and delivery relating to the program described in subparagraph (A).

(2) Funds made available under subsection (a) shall not be used for—

(A) construction of new facilities or brick and mortar facilities for the program described in paragraph (1)(A); or

(B) operational overhead funding of the University of Nebraska-Lincoln.

SA 1840. Mrs. DOLE submitted an amendment intended to be proposed by her to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 173, after line 24, insert the following:

SEC. 7 _____. (a) Subject to subsection (b), during the school year beginning July 2005, the Secretary of Agriculture shall use funds made available under subsection (c) to provide for direct certification of children that are adversely affected by hurricanes in accordance with the terms and conditions of section 9(b)(4) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758(b)(4)) (without regard to section 9(b)(4)(D) of that Act), as determined by the Secretary.

(b) This section applies to any local educational agency that—

(1) is located in a county subject to a major disaster designation by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), between August 24, 2005 and September 18, 2005; and

(2) submits a petition to the Secretary.

(c) The Secretary shall use to carry out this section \$29,000,000 of funds made available under section 32 of the Act of August 24, 1935.

SA 1841. Mr. ROBERTS submitted an amendment intended to be proposed by him to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 173, after line 24, insert the following:

SEC. 7 _____. None of the funds made available by this Act may be used to pay the salaries or expenses of any officer or employee to carry out the food stamp program established under the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.) in a manner that for the purpose of determining the eligibility of a child who is a member of the household of a member of a uniformed service, includes in household income the amount of a basic allowance provided under section 403 of title 37, United States Code, on behalf of the member of a uniformed service for housing that is acquired or constructed under subchapter IV of chapter 169 of title 10, United States Code.

SA 1842. Mr. BROWNBACK submitted an amendment intended to be proposed by him to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 143, line 10, strike the colon and insert the following: “: *Provided further*, That of the funds provided under this heading for other activities, \$5,853,000 shall not be obligated until the Commissioner of Food and Drugs or Acting Commissioner of Food and

ate regarding the date on which the Food and Drug Administration submitted an official written response to the Citizen Petition and Request for Administrative Stay, Docket No. 02P-0377 of the Food and Drug Administration.”.

SA 1843. Mr. BROWNBACK submitted an amendment intended to be proposed by him to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 143, line 10, strike the colon and insert the following: “: *Provided further*, That of the funds provided under this heading for other activities, \$5,853,000 shall not be obligated until the Commissioner of Food and Drugs or Acting Commissioner of Food and Drugs has presented public testimony before the Committee on Appropriations of the Senate on the President's fiscal year 2006 budget request and regarding the date on which the Food and Drug Administration submitted an official written response to the Citizen Petition and Request for Administrative Stay, Docket No. 02P-0377 of the Food and Drug Administration.”.

SA 1844. Mr. DAYTON submitted an amendment intended to be proposed by him to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 88, line 16, strike “\$23,103,000” and insert “\$21,103,000”.

On page 109, line 21, before the period at the end, insert the following: “: *Provided further*, That none of the funds made available by this Act may be used to carry out section 508A(c)(1)(B)(i) of the Federal Crop Insurance Act (7 U.S.C. 1508A(c)) in a manner that, for purposes of counties declared to be disaster areas in calendar year 2005 by the Secretary under section 321(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961(a)) or by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), applies the phrase ‘in the same crop year’ to have a meaning other than not later than October 15 of the year after the year in which the first crop was prevented from being planted”.

SA 1845. Mr. DAYTON submitted an amendment intended to be proposed by him to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 88, line 16, strike “\$23,103,000” and insert “\$21,103,000”.

On page 109, line 21, before the period at the end, insert the following: “: *Provided further*, That notwithstanding any other provision of law (including regulations), none of the funds made available by this Act may be used to carry out section 508A(c)(1)(B)(i) of the Federal Crop Insurance Act (7 U.S.C. 1508A(c)) in a manner that applies the term ‘crop year’ in a manner that fails to take into account the varying climates of different regions of the United States”.

SA 1846. Mr. MARTINEZ (for himself and Mr. NELSON of Florida) submitted

an amendment intended to be proposed by him to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 173, after line 24, insert the following:

SEC. 7 _____. The Secretary of Agriculture shall use \$450,000,000 of the funds of the Commodity Credit Corporation, to remain available until expended, to compensate commercial citrus and lime growers in the State of Florida for tree replacement and for lost production with respect to trees removed to control citrus canker, and with respect to certified citrus nursery stocks within the citrus canker quarantine areas, as determined by the Secretary. For a grower to receive assistance for a tree under this section, the tree must have been removed after September 30, 2001.

SA 1847. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 143, line 13, strike the period and insert the following: “: *Provided further* that, if by December 21, 2005, the Food and Drug Administration has not complied with the provisions of Public Law 106-554 related to the labeling of condoms to ensure that such labels are medically accurate in regard to the lack of effectiveness in preventing human papillomavirus infection, \$10,000,000 of the amount provided under this heading for the office of the Commissioner shall not be expended until the Food and Drug Administration complies with such law.

SA 1848. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 1790 submitted by Mrs. CLINTON (for herself, Mrs. MURRAY, and Mr. CORZINE) and intended to be proposed to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 1, line 8 of the amendment, strike the period and insert the following: “: *Provided further*, That if by December 21, 2005, the Food and Drug Administration has not complied with the provisions of section 516(b) of Public Law 106-554, related to the labeling of condoms to ensure such labels are medically accurate in regard to the lack of effectiveness in preventing human papillomavirus, \$10,000,000 of the amount provided under this heading for the Office of the Commissioner shall not be expended until the Food and Drug Administration complies with such section.”.

SA 1849. Mr. KOHL (for Mr. DODD) proposed an amendment to amendment SA 1818 submitted by Mr. DODD (for himself, Mr. HARKIN, Mr. REED, Mr. CARPER, Mr. BIDEN, and Mr. LIEBERMAN) to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for

the fiscal year ending September 30, 2006, and for other purposes; as follows:

In lieu of the matter proposed to be inserted, insert the following:

SEC. 7 _____. (a) Congress makes the following findings:

(1) Consumers need clear and consistent information about the risks associated with exposure to the sun, and the protection offered by over-the-counter sunscreen products.

(2) The Food and Drug Administration (referred to in this section as the "FDA") began developing a monograph for over-the-counter sunscreen products in 1978.

(3) In 2002, after 23 years, the FDA issued the final monograph for such sunscreen products.

(4) One of the most critical aspects of sunscreen is how to measure protection against UVA rays, which cause skin cancer.

(5) The final sunscreen monograph failed to address this critical aspect and, accordingly, the monograph was stayed shortly after being issued until issuance of a comprehensive monograph.

(6) Skin cancer rates continue to rise, especially in younger adults and women.

(7) Pursuant to section 751 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379r), a Federal rule on sunscreen labeling would preempt any related State labeling requirements.

(8) The absence of a Federal rule could lead to a patchwork of State labeling requirements that would be confusing to consumers and unnecessarily burdensome to manufacturers.

(b) It is the sense of Congress that the FDA should, not later than one year after the date of enactment of this Act, issue a comprehensive final monograph for over-the-counter sunscreen products, including UVA and UVB labeling requirements, in order to provide consumers with all the necessary information regarding the dangers of skin cancer and the importance of wearing sunscreen.

NOTICES OF HEARINGS/MEETINGS

SUBCOMMITTEE ON PUBLIC LANDS AND FORESTS

Mr. CRAIG. Mr. President, I would like to announce for the information of the Senate and the public that an oversight hearing has been scheduled before the Subcommittee on Public Lands and Forests of the Committee on Energy and Natural Resources.

The hearing will be held on Wednesday, September 28, 2005, at 2 p.m. in room SD-366 of the Dirksen Senate Office Building.

The purpose of the hearing is to review the grazing programs of the Bureau of Land Management and the Forest Service, including proposed changes to grazing regulations, and the status of grazing permit renewals, monitoring programs and allotment restocking plans.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150.

For further information, please contact Dick Bouts at 202-224-7545 or Amy Millet at 202-224-8276.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. BENNETT. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition and Forestry be authorized to conduct a hearing during the session of the Senate on Wednesday September 21, 2005 at 9 a.m. in 328A, Senate Russell Office Building. The purpose of this committee hearing will be to review the status of the World Trade Organization negotiations on agriculture.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. BENNETT. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on Wednesday, September 21, 2005, 10 a.m. and 2:30 p.m., on Energy Pricing, in SD 562.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. BENNETT. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, September 21, 2005, at 2:30 p.m. to hold a hearing on Nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. BENNETT. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet on Wednesday, September 21, 2005, at 10 a.m. for a hearing titled, "After the London Attacks: What Lessons Have Been Learned to Secure U.S. Transit Systems?"

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON INDIAN AFFAIRS

Mr. BENNETT. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet on Wednesday, September 21, 2005, at 9:30 a.m. in Room 385 of the Russell Senate Office Building to conduct an oversight hearing on Indian Gaming: Regulation of Class III Gaming. Those wishing additional information may contact the Indian Affairs Committee at 224-2251.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. BENNETT. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on "Able Danger and Intelligence Information Sharing" on Wednesday, September 21, 2005 at 9:30 a.m. in the Dirksen Senate Office Building Room 226.

Witness List

Panel I: The Honorable Curt Weldon, United States Representative, R-PA,

7th District; the Honorable Slade Gorton, former United States Senator, [R-WA], Preston, Gates & Ellis, Seattle, WA.

Panel II: Mark Zaid, Esq., Attorney at Law, Washington, DC; Erik Kleinsmith, former Army Major and Chief of Intelligence of the Land Information Warfare Analysis LIWA, Project Manager for Intelligence Analytical Training, Lockheed Martin, Newington, VA.

Panel III: Gary Bald, Executive Assistant Director, Counter Terrorism/Counter Intelligence, Federal Bureau of Investigation, United States Department of Justice, Washington, DC; William Dugan, Assistant to the Secretary of Defense for Intelligence Oversight, United States Department of Defense, Washington, DC.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. BENNETT. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on September 21, 2005 at 2:30 p.m. to hold a briefing.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON FISHERIES, WILDLIFE, AND WATER

Mr. BENNETT. Mr. President, I ask unanimous consent that the Subcommittee on Fisheries, Wildlife, and Water be authorized to meet Wednesday, September 21, 2005 to conduct a hearing to discuss the Endangered Species Act and the roles of States, Tribes and local governments. The hearing will be in SD 406.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGE OF THE FLOOR

Mr. BINGAMAN. I ask unanimous consent John Smeltzer, a fellow in my office, be granted privilege of the floor during the pendency of this bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the President pro tempore and upon the recommendation of the Democratic Leader, pursuant to Public Law 98-183, as amended by Public Law 103-419, appoints Arlan D. Melendez, of Nevada, to the United States Commission on Civil Rights.

PROVIDING FOR ACCEPTANCE OF A STATUE OF PO'PAY

Mr. BENNETT. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H. Con. Res. 242, which was received from the House.