



June 8, 2005

## **Possible Amendments to the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act for Fiscal Year 2006 (H.R. 2744)**

The following contains information on the ten amendments that have been pre-printed in the *Congressional Record* and other amendments not pre-printed that may also be offered. Under an open rule (H.Res. 303 in this case), amendments do not need to be pre-printed and may be offered at any time without prior notice. However, the rule does accord priority for Members with pre-printed amendments.

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### ***Amendments Pre-Printed in the Congressional Record***

**1. Garrett (R-NJ).** Prohibits funds to be expended under the Food Stamp Program that would violate “section 213A of the Immigration and Nationality Act (8 U.S.C. 1183a).” This section of the Immigration and Nationality Act discusses admission qualifications for aliens and sponsorship. Specifically, the Act states “Upon notification that a sponsored alien has received any means-tested public benefit, the appropriate nongovernmental entity which provided such benefit or the appropriate entity of the Federal Government, a State, or any political subdivision of a State shall request reimbursement by the sponsor in an amount which is equal to the unreimbursed costs of such benefit.” Essentially, the amendment restates the enforcement of current law.

**2. King (R-IA).** Withholds \$875,000 (of the \$10,539,000 appropriated) from the Chief Economist and the World Agricultural Outlook Board until “the Secretary of Agriculture submits to the Committees on Appropriations of the House of Representatives and the Senate, the Committee on Agriculture of the House of Representatives, and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report on the National Animal Identification Plan, including the lessons learned and the effectiveness of the pilot programs funded in fiscal year 2005, an analysis of the economic impact of the proposed National Animal Identification System on the livestock industry, and the expected cost of implementing the National Animal Identification System.” This amendment is likely subject to a point of order for legislating on appropriations.

**3. King (R-IA).** Requires (within 180 days of enactment) the Secretary of Agriculture to submit a “report to Congress on the National Animal Identification System,” including the effectiveness of the pilot programs funded in FY05, an analysis of the economic impact of the proposed System on the livestock industry, and the expected cost of implementing the System.

This amendment deals with the same topic as King’s Amendment #2, except it does not attempt to withhold funds to achieve its goal. This amendment is likely subject to a point of order for legislating on appropriations.

**4. Baca (D-CA).** Reduces by \$855,000 the funds made available for “Common Computing Environment,” and increases by \$855,000 (from \$5.645 million to \$6.5 million) the funds made available for an education grants program for Hispanic-serving institutions under the “Cooperative State Research, Education, and Extension Service - Research and Education Activities” section.

**5. Blumenauer (D-OR)/Flake (R-AZ).** Inserts the following at the end of the bill: “None of the funds appropriated or otherwise made available by this Act may be used to pay the salaries and expenses of personnel who make loans available under section 156 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272) to processors of domestically grown sugarcane at a rate in excess of 17 cents per pound for raw cane sugar or to processors of domestically grown sugar beets at a rate in excess of 21.6 cents per pound for refined beet sugar.”

According to the sponsor, the amendment “will reduce payments to the Sugar Loan Program by approximately six percent.” Additionally, the sponsor states, “The US sugar program is one of the most archaic and egregious policies instituted by the federal government. The program artificially raises the price of sugar, harming US companies and consumers, and preventing poor and developing nations from competing in the global marketplace. US consumers alone pay an additional \$1 billion each year for food products because of the current sugar policy.”

7 U.S.C. 7272 directs the Secretary of Agriculture to make loans available to processors of domestically grown sugarcane at a rate equal to 18 cents per pound for raw cane sugar, and to make loans available to processors of domestically grown sugar beets at a rate equal to 22.9 cents per pound for refined beet sugar. Additionally, the statute permits the Secretary of Agriculture to reduce the loan rate for domestically grown sugarcane and sugar beets if the Secretary determines that negotiated reductions in export subsidies and domestic subsidies provided for sugar of other major sugar growing, producing, and exporting countries in the aggregate exceed the commitments made as part of the Agreement on Agriculture.

**6. Chabot (R-OH).** Inserts the following at the end of the bill: “None of the funds appropriated or otherwise made available by this Act may be used to carry out section 203 of the Agriculture Trade Act of 1978 (7 U.S.C. 5623) or to pay the salaries and expenses of personnel who carry out a market program under such section.”

According to the sponsor, “Despite a massive budget deficit, the federal government continues to subsidize the advertising expenses of food industry associations, cooperatives, and state and regional trade groups.” The amendment is designed to “put a stop to this wasteful practice.”

7 U.S.C. 5623 permits the Commodity Credit Corporation to establish and carry out a program to encourage the development, maintenance, and expansion of commercial export markets for agricultural commodities through cost-share assistance to eligible trade organizations that implement a foreign market development program.

**7. Platts (R-PA).** Reduces by \$2 million, funds available for the Buildings and Facilities and Rental Payments and reduces by an additional \$2 million, funds available for the Office of Civil Rights. The amendment increases by \$1.227 million, funds available for the Animal and Plant Health Inspection Service, Salaries and Expenses.

“Page 5, line 8, after the dollar amount insert the following: ‘(reduced by \$2,000,000)’.

Page 5, line 13, after the dollar amount insert the following: ‘(reduced by \$2,000,000)’.

Page 18, line 12, after the dollar amount insert the following: ‘(increased by \$1,227,000)’.”

According to the sponsor, “The purpose of the amendment is to hold funding for APHIS’ plum pox eradication program even at last year’s level. The amendment would reduce funding to the Agriculture Operations and Maintenance by \$1.227 million and increase the funding to the Animal and Plant Health Inspection Service by the same amount. The offset described above was taken from the same account that a number of previously passed agriculture amendments have used.

**8. Rehberg (R-MT).** Strikes the following section from the bill: “None of the funds appropriated or otherwise made available by this Act shall be used for the implementation of Country of Origin Labeling for meat or meat products.”

The section this amendment would strike from the bill relates to the implementation of what the sponsor calls “the onerous” Mandatory Country of Origin Labeling Program that was included in the 2002 Farm Bill. The language in the underlying appropriations bill would delay the implementation until October 1, 2007. The Rehberg amendment would strike the delaying language and have the labeling program begin in 2006.

**9. Schwarz (R-MI).** Inserts the following at the end of the bill: “It is the sense of Congress that the Secretary of Agriculture should use the transfer authority provided by section 442 of the Plant Protection Act (7 U.S.C. 7772) to implement the strategic plan developed by the Animal and Plant Health Inspection Service for the eradication of Emerald Ash Borer in the States of Michigan, Ohio, and Indiana.

The Plant Protection Act, allows the Secretary of Agriculture, in connection with an emergency in which a plant pest or noxious weed threatens any segment of the agricultural production of the United States, to “transfer from other appropriations or funds available to the agencies or corporations of the Department of Agriculture such amounts as the Secretary considers necessary

to be available in the emergency for the arrest, control, eradication, and prevention of the spread of the plant pest or noxious weed and for related expenses.”

**10. Sweeney (R-NY).** Inserts the following at the end of the bill: “None of the funds made available in this Act may be used to pay the salaries or expenses of personnel to inspect horses intended for slaughter, horse carcasses, or horse meat under the Federal Meat Inspection Act (21 U.S.C. 601 et seq.) or the Federal Agriculture Improvement and Reform Act of 1996 (Public Law 104-127).”

According to the sponsor, “This amendment will stop the slaughter of horses....This amendment will prohibit USDA from issuing inspections on horses intended for slaughter. Without these inspections, the slaughter plants could not sell horsemeat for human consumption.”

### **Other Possible Amendments**

**Weiner/McCotter (D-NY/R-MI).** Reduces by \$21 million, funds available for the acquisition of a Common Computing Environment for the Natural Resources Conservation Service, and increases by \$19 million, funds made available for Animal and Plant Health Inspection Service, Salaries and Expenses.

According to the sponsor, the amendment “boosts funding for the Animal and Plant Health Inspection Service (APHIS) by \$19 million to fight invasive species nationwide that cause billions of [dollars of] ecological and economic devastation each year.” Additionally, the sponsor lists the following invasive species the funding would help fight: Asian Longhorned Beetle, Emerald Ash Borer, Sudden Oak Death, Cactus Moth, Boll Weevil

**Butterfield (D-NC).** Reduces by \$2 million the funds made available for the “Common Computing Environment for the Natural Resources Conservation Service, the Farm and Foreign Agricultural Service, and Rural Development,” and increases by \$2 million the funds made available for “Outreach for Socially Disadvantaged Farmers” for grants and contracts.

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