



May 23, 2006

Amendments to H.R. 5384, the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act of 2007

Part I

The following contains information on the eighteen amendments that have been pre-printed in the *Congressional Record* and other amendments not pre-printed that may also be offered.

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Amendments Pre-Printed in the Congressional Record

1. King (R-IA). Inserts language directing the Secretary of Agriculture to submit to Congress, an economic impact study on the proposed National Animal Identification System. The report is to include information on the lessons from, and the effectiveness of, the pilot program.

According to the sponsor's office, Rep. King is offering the amendment in an effort to speak about the Livestock Identification and Marketing Opportunities Act (H.R. 3170). *This amendment is likely subject to a point of order.*

2. King (R-IA). Prevents \$1 million of the funds available in the bill for the Animal and Plant Health Inspection Service, from being available until the Secretary of Agriculture submits to the Appropriations Committee the report demanded in the previous amendment.

3. Kennedy (R-MN). Transfers \$500,000 from the Agriculture Buildings and Facilities and Rental Payments Account to National Veterinarian Medical program. The program was funded at \$500,000 last year and is not funded in this year's Committee Budget.

According to the sponsor, the program uses the money for loan forgiveness in an effort to encourage new veterinarians to locate and serve rural areas.

4. Paul (R-TX). Provides that none of the funds made available may be used to implement or administer the National Animal Identification System (NAIS). NAIS requires all farmers and ranchers to tag their livestock with a radio ID tag. According to the sponsor, tagging all livestock could cost each farm thousands and burden the farms with compliance with required federal paperwork and monitoring. The sponsor asserts NAIS allows the federal government to enter farms and ranches for warrantless searches and seizures in violation of the Fourth Amendment and subjects the owner to liability for animals diseased after they leave the farm. The sponsor further contends that the bill does not achieve its intended aims, is duplicative, and harmful to the competitiveness of American farm products from livestock.

5. Carter (R-TX). Permits the Secretary of Agriculture to use up to \$3.6 million from the Federal Crop Insurance Program for a data mining project.

The sponsor states the money comes from the Insurance Program's outreach and education to fund a data mining project intended to eradicate anomalous payouts in the program. According to the office, the mining project is housed at Tarleton State University, located in Stephenville, TX. The sponsor asserts that conservative estimates are that the program spends \$20 million to identify fraud, waste and abuse to save \$450 million.

6. Blumenauer (D-OR). Provides that none of the funds may be used to pay the salaries of federal employees who make loans to domestic sugar processors under Section 156 of the Federal Agriculture Improvement and Reform Act of 1996, if the loans are made at a base rate over \$0.17/lb. for sugarcane and over \$0.216/lb. for sugarbeets.

Under the U.S. Sugar Loan Program, sugar processors are able to get non-recourse loans from the federal government. The processors may use their sugar stocks as collateral to borrow money based on the price of sugar. If the prices fall below a floor, the processors may repay the loan based on the new, below floor price or forfeit the sugar. If the processors forfeit the sugar, the federal government must then bear the costs of storing the sugar. There are no penalties for processors who forfeit the sugar to repay the loans. (source: http://www.taxpayer.net/agriculture/learnmore/factsheets/TCSSugarCommodityFactSheet_2003.pdf)

7. Hefley (R-CO). Prohibits funding made available from being used for the National Animal Identification Act. The sponsor asserts that the amendment prevents an expenditure of \$33.107 million on the Act. This amendment is similar to the Paul amendment, #4 preprinted in the Congressional Record.

8. Hefley (R-CO). The amendment is a rescission of \$178,120,000 from the total agriculture appropriation. This is a 1% across-the-board rescission on discretionary spending in the bill

9. Lucas (R-OK). Transfers \$50 million from the Natural Resources Conservation Services National Headquarters salaries and expenses account to be used on conservation technical assistance.

According to the sponsor's office, technical assistance at the state level is "underfunded" and therefore faces difficulties in delivering conservation funding. The \$50 million transfer is a reduction of over 50% to the National HQ's appropriation.

10. Schwarz (R-MI). Expresses the sense of Congress that the Secretary of Agriculture should use his transfer authority to move funds from Commodity Credit Corporation to a program for the eradication of the Emerald Ash Borer (EAB) in Michigan, Ohio, and Indiana.

The Committee Report for the underlying bill already provides a \$20 million earmark for the eradication of EAB. According to the USDA Forest Service, the EAB is an exotic foreign pest from Asia that has caused tens of billions in damage to the lumber and nursery industries and landscapes.

11. Bordallo (D-GU). Decreases by \$1 million, funding for the National Research Initiative (currently funded at \$190 million) and increases by \$1 million, funds for the Resident Instruction Grants Program for Institutions of Higher Education in the Insular Areas. The insular area program gives grants to educational institutions for food and agricultural sciences education. The insular area program is funded in the bill at \$500,000, and the amendment is a 200% increase on the current appropriation. The President requested a funding level of \$500,000.

Insular areas are U.S possessions that do not have statehood. The insular areas include American Samoa, Guam, the Midway Islands, the Northern Mariana Islands, Puerto Rico, the U.S. Virgin Islands, and Wake Island.

12. Chabot (R-OH). Prohibits funds made available from being used to pay the salaries of any employee administering section 203 of the Agriculture Trade Act (7 U.S.C 5623), or to pay the salaries and expenses of personnel who carry out a market program under this section.

According to the sponsor, the amendment prevents the federal government from subsidizing advertising and marketing for agricultural associations, cooperatives, and state and local groups in overseas markets.

13. Gutknecht (R-MN). Provides that none of the funds can be used to implement the limitation of the wetlands reserve program found in section 720 of the Act. The section reads:

SEC. 720. No funds shall be used to pay salaries and expenses of the Department of Agriculture to carry out or administer the calendar year 2007 wetlands reserve program as authorized by 16 U.S.C. 3837 in excess of 144,776 acres.

In addition, corresponding funds are reduced for the Agricultural Research Service buildings and facilities by \$65.32 million from \$140 million to \$74.681 million. Funds are reduced for the Cooperative State Research, Education, and Extension Service by \$16.681 million (from \$651.606 million to \$634.925 million).

14. Johnson (R-IL). Directs the Department of Agriculture to ask the National Academy of Sciences to study the nutritional value of foods purchased with food stamps and recommend guidelines for future incentives to influence food purchases and consumption with food stamps. According to the sponsor's office, the amendment will most likely not be offered.

15. Paul (R-TX). Prohibits funds from being used to implement or administer the National Animal Identification System. This appears to be the same amendment as Paul #4, listed in the Congressional Record.

16. Latham (R-IA). Prohibits funds from being used to pay salaries and expenses of personnel who implement or administer section 508(e)(3) of the Federal Crop Insurance Act (7 U.S.C. 1508(e)(3)) (regarding conditions for crop insurance premium reductions) or any regulation, bulletin, policy, or agency guidance issued pursuant to such section for the 2007 and the 2008 reinsurance years, except that funds are available to administer such section for policies for those producers who, before the date of the enactment of this Act, had in effect a crop year 2006 crop insurance policy from a company eligible for the opportunity to offer a premium reduction under such section for the 2006 reinsurance year. *This amendment is likely subject to a point of order.*

17. Kennedy (R-MN). Decreases funds for the National Agriculture Statistics Service by \$500,000 (from \$148.7 million to \$148.2 million) and increases funds for the Animal and Plant Health Inspection Service by \$500,000 (from \$898.1 million to \$898.6 million). *Note: the National Animal Identification Service is funded under the Animal and Plant Health Inspection Service.*

18. Holt (D-NJ). Decreases funds for the operation, maintenance, improvement, and repair of Agriculture Department buildings and facilities by \$3.145 million (from \$209.8 million to \$206.7 million), and increases funds for integrated research, education, and extension grants programs by \$3.145 million (from \$55.2 million to \$58.4 million). The amendment then pinpoints this \$3.145 million increase in research funding specifically for the program that helps farmers transition to organic farming (from \$1.9 million to \$5.0 million).

Amendments Not Pre-printed in the Congressional Record

Tiahrt (R-KS). Prohibits funds from being used to promulgate regulations without consideration of the effect of such regulations on the competitiveness of American businesses. *This amendment is subject to a point of order. The amendment sponsor will offer the amendment, discuss the issue, and withdraw the amendment.*

Garrett (R-NJ). Provides that none of available funds may be used to send or otherwise pay for the attendance of more than 50 employees from a federal department or agency at any single conference occurring outside the U.S. In addition, the amendment provides that not more than \$8,167,978 (FY01 level), may be obligated or expended by a

department or agency for the purpose of sending or otherwise paying for employees from the department or agency to attend conferences occurring outside the U.S.

According to documents obtained by Senator Tom Coburn's office, conference expenditures for the Department of Agriculture rose from \$8.2 million in 2001 to \$10.2 million in 2005, a 49% increase. See the attached PDF for more on agency conference spending.

Garrett (R-NJ). Prohibits funds to be expended under the Food Stamp Program in contravention of 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 that sponsors of incoming-alien must sign an affidavit that the immigrant will not become dependent on Welfare programs for a certain number of years or until they become a US citizen, whichever comes first. 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. A similar amendment was offered last year and failed 169-258. <http://clerk.house.gov/evs/2005/roll237.xml>.

Kucinich (D-OH). Decreases funds for the Agriculture Secretary's Office by one dollar. The amendment sponsor reports that this symbolic reduction will be to "raise an objection to the *de facto* removal of consumer/public interest representation from the National Organic Standards Board."

Baca (D-CA)/Butterfield (D-NC)/Thompson (D-MS)/Hinojosa (D-TX). Increases funds for the Socially Disadvantaged Farmer and Rancher Grant Program by \$100,000 (from \$6.9 million to \$7.0 million), increases funds for the agricultural research programs at Hispanic Serving Institutions by \$700,000 (from \$5.9 million to \$6.6 million), and decreases funds for competitive research grants by \$800,000 (from \$190 million to \$189.2 million). *Note: The RSC Budget proposed the termination of all funding for the Socially Disadvantaged Farmer program.*