



Legislative Bulletin.....July 31, 2007

Contents:

H.R. 3161 – PART I – The Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2008

H.R. 3161, the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2008 (sponsored by Rep. DeLauro, D-CT), is being considered on the House floor today, Tuesday, July 31, 2007, subject to an open rule ([H. Res. 581](#)), making in order any germane amendment under the five-minute rule. The rule allows one motion to recommit with or without instructions.

The rule waives all points of order against consideration of the bill, except those regarding PAYGO and earmarks, and allows the Chair to postpone consideration of the legislation at any time during its consideration. The rule also waives the no-authorizing-on-appropriations point of order against provisions in the underlying bill.

Note: The summaries below are based on RSC staff’s review of *actual amendment text*. For a summary of the underlying bill, see a separate RSC document released earlier today.

RSC Staff Contact:

Andy Koenig; andy.koenig@mail.house.gov; 202-226-9717
Sarah Makin; sarah.makin@mail.house.gov; 202-226-8587 (1, 20, 22)

Amendments Printed in the Congressional Record

1. Conaway (R-TX). This amendment would prohibits any funds in this act from being used to carry out any amendment to section 11(e)(6) of the Food Stamp Act of 1977 (7 U.S.C. 2020(e)(6)). According to the sponsor’s office, this amendment would “restore the authority to the states to modernize the delivery and data management of the Food Stamp Program”. This amendment does not alter eligibility determination (protections which are outlined in the Food Stamp Act of 1977), but instead allows states the flexibility they need to disperse benefits in the most efficient and user friendly way. This legislation is supported by the Governors of Indiana, Nebraska, Connecticut, Kentucky, Texas, Minnesota, and Rhode Island.

- 2. Conaway (R-TX).** Expresses the sense of the House that any reduction in the amount appropriated by this Act achieved as a result of amendments should be dedicated to deficit reduction.
- 3. Gingrey (R-GA).** Reduces funds for the office of the Secretary of the Agricultural Department by \$50,050, or 1%.
- 4. Gingrey (R-GA).** Reduces funds for the Secretary of Agriculture's chief economist by \$108,470, or 1%.
- 5. Gingrey (R-GA).** Reduces funds for the Secretary of Agriculture's chief information office by \$167,230, or 1%.
- 6. Gingrey (R-GA).** Reduces funds for the Secretary of Agriculture's chief financial officer by \$60,760, or 1%.
- 7. Gingrey (R-GA).** Reduces funds for the Office of the Assistant Secretary for Administration by \$7,090, or 1%.
- 8. Gingrey (R-GA).** Reduces funds for Agricultural Department's administration account by \$239,130, or 1%.
- 9. Gingrey (R-GA).** Reduces funds for the Office of the Assistant Secretary for Congressional Relations by \$39,360, or 1%.
- 10. Gingrey (R-GA).** Reduces funds for Agricultural Department's office of communications by \$97,200, or 1%.
- 11. Gingrey (R-GA).** Prohibits funds from being used to close the office of the Farm Service Agency located in Calhoun, Georgia.
- 12. Gingrey (R-GA).** Prohibits funds in the bill from being used for the food stamp program in contravention of section 213A of the Immigration and Nationality Act (8 U.S.C. 1183a; regarding requirements for alien sponsor's affidavit of support).
- 13. Gingrey (R-OH).** Prohibits funds for Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) from being used in contravention of section 213A of the Immigration and Nationality Act (8 U.S.C. 1183a).
- 14. Jordan (R-OH).** Reduces total appropriations in the bill by 5.5% (\$1.034 billion), which would bring the funding back to the FY 2007 level.

15. Kingston (R-NY). Strikes section 726, which prohibits funds from being used to prevent an individual, wholesaler, or pharmacist from importing prescription drugs that comply with Sections 501, 502 and 503 of the Federal Food, Drug, and Cosmetic Act (regarding adulterated drugs and devices).

16. Kingston (R-NY). Strikes section 738, which prohibits funds from being used to “examine, inspect, certify, or mark horses, horse carcasses, or parts of horse carcasses or create, distribute, certify, endorse, or file any certificate concerning horses.” The section is meant to prevent horse slaughter and consumption. However, Republicans on the appropriations subcommittee have criticized the language for being overly broad. According to the minority, “the prohibition on the assessment and collection of fees under 21 U.S.C. 136 would make it impossible for the Secretary to administer federal animal quarantine laws... Because these provisions were not well written and their adverse effects not contemplated, they will cause harm to the entire horse industry in this country.”

17. Kingston (R-NY). Prohibits funds from being used to pay the salaries or expenses of any employee of the Department of Agriculture who would require contracts to construct renewable energy systems to be carried out in compliance with the provisions of the Davis-Bacon Act. The Davis-Bacon Act requires that each federal government contract worth more than \$2,000 for any public work set a minimum wage to be paid to laborers at no less than locally prevailing wage.

18. Price (R-GA). Reduces total appropriations in the bill by 1% (\$188 million).

19. Sessions (R-TX). Strikes the language in the underlying bill that would impose limitations on the Administration’s public-private competition initiative for certain government services (otherwise known as “competitive sourcing” or “OMB Circular A-76”).

20. Sessions (R-TX). Strikes the language in the underlying bill (Section 727) that would prohibit the Administration’s public-private competition initiative for the Secretary of Agriculture, including support personnel of the Department of Agriculture, relating to rural development or farm loan programs. (otherwise known as “competitive sourcing” or “OMB Circular A-76”).

21. Upton (R-MI). Prohibits funds from being used to purchase light bulbs, unless the light bulbs have the “ENERGY STAR” or “Federal Energy Management Program” designation.

22. Bordallo (D-GU). Appropriates \$800,000 for distance education grants for insular areas. The appropriation is offset by a \$600,000 deduction to the Cooperative State Research, Education and Extension Service competitive research grants account (reducing the program’s funding to \$189.4 million), as well as reducing the veterinary medicine loan repayment program by \$200,000 (reducing the program’s funding to \$800,000).

23. McHenry (R-NC). Reduces funds for the FDA Salaries and Expenses account by \$32 million (from \$1.683 billion to \$1.651 billion) and increase funds for the USDA Rural Development Community Advantage Program by \$32 million (from \$728 million to \$760 million).

24. McHenry (R-NC). Reduces funds for the FDA Salaries and Expenses account by \$17.82 million (from \$1.683 billion to \$1.665 billion) and increases funds for broadband telecommunications in rural areas by \$17.82 million (from \$17.82 million to \$35.64 million).

25. McHenry (R-NC). Prohibits funds in the bill from being used for the food stamp program in contravention to the Immigration and Nationality Act (8 U.S.C. 1101).

26. Hensarling (R-TX). Reduces funds for the Distance Learning and Telemedicine Grants by \$5.3 million (from \$35 million to \$29.7 million), which would return funding to the FY 2007 level. The FY 2008 committee appropriation is a 17.8% increase over last year's funding level.

27. Hensarling (R-TX). Reduces funds for the Broadband Telecommunications Grants by \$8.9 million (from \$17.8 million to \$9 million), which would return funding to the FY 2007 level. The FY 2008 committee appropriation is twice last year's funding level.

28. Hensarling (R-TX). Reduces funds for the Community Facility Grants by \$6 million (from \$23 million to \$17 million), which would return funding to the FY 2007 level. The FY 2008 committee appropriation is a 37% increase over last year's funding level.

Likely Amendments not Printed in the Congressional Record

Boozman (R-AR). Prohibits funds from being used to implement a National Animal Identification System, unless participation by livestock owners is voluntary. This amendment would prohibit the creation of a mandatory animal ID program.

Musgrave (R-CO). Reduces total appropriations in the bill by 0.5% (\$94 million).

King (R-IA). Prohibits the funds in this Act from being used to employ workers described in section 274A(h)(3) of the Immigration and Nationality Act (8 U.S.C. 1324a(h)(3)). In general, this amendment would prohibit funds in this Act for hiring or paying for an employee who is not legally allowed to be employed in the United States.